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HOUSE JOURNAL

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF COLORADO,

ELEVENTH SESSION.

CONVENED AT DENVER, COLO., ON THE 3D DAY OF JANUARY, 1876

PRINTED BY AUTHORITY

State Historical and
Natural History Society
DENVER, COLORADO.

CENTRAL CITY:
Register Book and Job Print.
1876.

State Historical and
Natural History Society,
DENVER, COLO.

HOUSE JOURNAL

OF THE

Legislative Assembly

OF THE

State Historical and
Natural History Society,
DENVER, COLO.
DEC 10 1896
PRESENTED BY
Mrs Helen
Wixon

TERRITORY OF COLORADO

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HOUSE JOURNAL

——OF THE——

LEGISLATIVE ASSEMBLY OF COLORADO.

ELEVENTH SESSION.

DENVER, MONDAY, JANUARY 3, 1876

At the Eleventh Session of the Legislative Assembly of Colorado Territory, the House of Representatives met at Denver, the seat of government of said Territory, on Monday, the 3d day of January, A D 1876, pursuant to law.

The House was called to order by Joseph T. Boyd, Chief Clerk of the House of Representatives of the Tenth Session

On motion of Alfred Butters, Joseph T Boyd was nominated Chief Clerk *pro tem*.

E L Smith nominated Thomas M O'Brien

On motion, Messrs E. L Smith and I. N Peyton were appointed tellers

The following was the result of the ballots

Total number of votes cast, 24

Joseph T Boyd received 14 votes

Thomas M. O'Brien received 10 votes.

Mr. Boyd was declared elected

On motion, the House proceeded to the election by ballot of the Speaker *pro tempore*.

Mr. Butters nominated Mr. A. Z. Sheldon.

Mr. McShane nominated Mr. James Y Marshall

The ballot resulted as follows

Total number of votes cast, 23

State Historical and Natural History Society, DENVER, COLO.

Mr. Sheldon received 13 votes, Mr Marshall received 9 votes. blank, 1 vote

Mr Sheldon, having received a majority of the votes cast. was declared duly elected Speaker *pro tempore*

Mr W B Mills moved the chair appoint a committee of three on Credentials

Mr Smith arose to a point of order, stating that the certificates of election of the members should be handed to the Clerk and a roll made out before the selection of such committee

A point of order was ruled well taken

The Speaker *pro tempore* took the chair

The certificates of election were now presented to the Clerk, and a roll prepared

Mr. Marshall now raised the point of order that the Committee on Credentials should be elected

Mr. Marshall being sustained, Mr Mills modified his motion to read "elect a committee of three on Credentials"

Motion carried

A ballot was had for a Committee on Credentials, resulting as follows

Mr. Smith received 21 votes

Mr Mills received 12 votes

Mr. Kruse received 13 votes

Mr McShane received 11 votes

Mr Rand received 10 votes

Messrs Smith, Mills and Kruse having received the highest number of the votes cast, were declared elected as a Committee on Credentials

Mr Butters moved a recess of 20 minutes be taken to allow the Committee on Credentials time to make up their report.

Mr. Smith moved to amend by striking out 20 minutes and inserting "7 o'clock this evening"

Motion lost

The question now being on the original motion, was carried, and the House took a recess of 20 minutes

At the expiration the House was called to order by the Speaker *pro tem*

Mr. Smith, of Committee on Credentials, submitted the following report

To the Honorable Speaker of the House

Your committee selected to examine the credentials of the members of this body, would respectfully report that they

have had the matter referred to them under consideration, and find that the following named gentlemen are entitled to seats in this honorable body from their respective districts

1st District, Alfred Butters, Wm B Mills, Edward Pisko and Edmund L. Smith

2d District, N. H Meldrum.

3d District, M N. Everett

4th District, David C Patterson

5th District, George Rand.

6th District, John C McShane, Frederick Kruse and Wm Larned

7th District, John H. Yonley

8th District, J N Nimerick

9th District, Frank Bingham.

10th District, Albinus Z Sheldon and H. O Rittberg

11th District, James Y Marshall and I N Peyton

12th District, Donaciano Gurule, Nicanora D Jaramillo and Mauricio Apadaca

13th District, ——

14th District, Francisco Sanchez

15th District, T M. Trippe.

16th District, Reuben J McNutt

Dated January 3, 1876

Respectfully submitted,

E. L. SMITH,
WM B MILLS.
F KRUSE

On motion of Mr Butters, the report was adopted and the committee discharged

Mr Mills moved a committee of three be appointed to wait on His Honor, Judge Brazee, and request him to administer the oath of office to the members present.

Mr. Butters moved to amend by saying "a notary public or justice of the peace," as Judge Brazee was out of the city.

No second, Mr. Mills withdrew his motion.

Mr Mills now moved that any notary present be requested to administer the oath

Carried.

Mr. C. H. McLaughlin, a notary public in and for Arapahoe county, Colorado, being present, administered the oath of office to the members present

Mr. Mills moved the House proceed to the election of officers for permanent organization.

Carried.

The chair having stated that the election of permanent Speaker was in order, Mr. Mills nominated Alfred Butters.

Mr. Rand nominated D. C. Patterson.

A ballot was had, resulting as follows:

Total number of votes cast, 21 Mr. Butters received 11 votes; Mr Patterson received 9 votes, Mr Sheldon received 1 vote.

Mr. Butters was declared elected Speaker of the House of Representatives.

Mr. Meldrum moved that a committee of three be appointed by the chairman to conduct the Speaker elect to the chair.

Carried.

The chair appointed as such committee Messrs Meldrum, Smith and Mills.

The committee escorted Mr Speaker Butters to the chair, and the oath of office was administered by Mr C H. McLaughlin, notary public

The Speaker on taking the chair made a few remarks, thanking the members for the honor conferred

The House now proceeded to the election of Chief Clerk

Mr. Mills nominated Joseph T Boyd.

Mr. Marshall nominated Thomas M O'Brien

A ballot being had, the result was as follows:

Total number of votes cast, 24 Mr Boyd received 14, Mr. O'Brien received 10 votes.

Mr. Boyd was declared duly elected Chief Clerk of the House.

Mr. Tripp nominated C L. Peyton for Assistant Clerk.

Mr. Patterson nominated A D Washburn

The following was the result of the ballot:

Mr. Peyton received 14 votes, Mr Washburn 10 votes.

Mr. Peyton was declared duly elected Assistant Clerk of the House.

Mr. McNutt nominated W. B Dickinson for Enrolling Clerk

Mr. Smith nominated James Henry

The ballot resulted as follows

Mr. Dickinson received 14 votes, Mr Henry received 8 votes, and Mr. J. W. Collison 2 votes

Mr. Dickinson was declared duly elected.

Mr. Meldrum nominated James M Galoway for Engrossing Clerk

Mr. McShane nominated J. W Collison

A ballot resulted as follows:

Mr. Galloway received 14 votes; Mr. Collison 7 votes, and Mr. Joseph Henry 3 votes.

Mr. Galloway was declared duly elected.

Mr. Kruse nominated James D. Wood for Sergeant-at-Arms.

Mr Rand nominated Harpin Davis.

A ballot resulted as follows:

Mr. Wood received 15 votes: Mr. Davis received 9 votes.

Mr. Wood was declared duly elected Sergeant-at-Arms.

Mr. Rettberg nominated C. L. Hall for Door-keeper.

Mr. McShane nominated S. Mason.

The following was the result of the ballot.

Mr Hall received 14 votes; Mr Mason received 10 votes.

Mr. Hall was declared duly elected Door-keeper.

Mr. Pisko nominated Charles B Stone for Messenger.

There was no other nomination.

Total vote cast, 14

Stone received 14 votes, and was declared duly elected Messenger.

Mr. Tripp nominated Ira Thompson for Fireman.

Mr. Marshall nominated Francisco Torres.

Mr. McShane nominated Wm. A. Ward.

The ballot resulted as follows:

Mr. Thompson received 14 votes, Mr. Torres 8 votes, and Mr. Ward received 2 votes.

Mr. Thompson was declared duly elected.

Mr. Mills offered the following.

Resolved, That in the judgment of this House it is expedient to elect as additional officers of this House, one Assistant Sergeant-at-Arms, two Pages and one Interpreter.

Mr. Pisko moved the resolution be adopted.

Mr. Smith moved to amend by striking out "Assistant Sergeant-at-Arms," and strike out "two" before "pages" and insert "one" and make "pages" read "page."

The question being put on amendment, was declared lost.

Mr. Marshall called for a division of the House.

The vote was 10 for the amendment and 13 against.

Motion for amendment lost.

The question being now upon the original motion, Mr. Smith called for the ayes and nays.

Mr. Speaker declared Mr. Smith out of order.

Mr Smith appealed from decision of the chair.

The House sustained the chair.

The question being put on Mr. Pisko's motion, was carried, and the resolution adopted.

Mr Mills now nominated George W. Thompson for Assistant Sergeant-at-Arms.

There being no other nomination, a ballot was had, resulting as follows

Mr. Thompson received 14 votes, blank 1.

Mr. Thompson was declared duly elected.

Mr. Pisko moved the House now proceed to elect two pages on one ballot

Motion carried.

Mr. Pisko nominated Master Charles McIntyre and Master Walter K. Marsh.

Mr. McShane nominated Master Irwin Hale.

Mr Patterson nominated Master A. T. Merritt.

The ballot resulted as follows:

Master McIntyre received 13 votes, Master Marsh received 13 votes, Master Hale received 8 votes, Master Merritt 9 votes.

Masters McIntyre and Marsh were declared duly elected Pages of the House.

Mr. Mills nominated Christ Meyer for Interpreter.

Mr. McShane nominated Daniel Wilkins.

The ballot resulted as follows:

Mr. Meyer received 16 votes, Mr. Wilkins received 8 votes.

Mr. Meyer was declared duly elected Interpreter for the House.

On motion of Mr. Sheldon the House adjourned until to-morrow at 2 o'clock p. m.

SECOND DAY.

TUESDAY, January 4, 1876.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Present—Messrs. Apadaca, Bingham, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, McShane, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sanchez, Trippe, Yonley and Mr. Speaker.

Absent—Messrs. Sheldon, Meldrum, Marshall and Smith.

Quorum present.

On motion of Mr. Peyton, Mr. Sheldon was excused from attendance to-day.

Journal of preceding session rea dand approved.

Mr. H. Dhume, Jr., having presented his credentials, Mr. Marshall moved he be sworn in as a member of this House.

Motion carried.

Mr. Dhume came forward and the oath of office was administered to him by C. H. McLaughlin, notary public.

Mr. Rand offered the following:

Resolved, That the members of this House shall retain their seats as taken by them at the first day of the session.

Mr. Marshall moved the resolution be adopted.

Motion carried and so adopted.

Mr. Mills moved the vote by which the resolution offered by Mr. Rand was adopted be reconsidered.

Motion carried by vote of 12 to 6.

Upon the suggestion of the Speaker, the oath of office was administered to the following named officers of the House by C. H. McLaughlin, notary public, viz: Joseph T. Boyd, Chief Clerk, C. L. Peyton, Assistant Clerk, W B. Dickinson, Enrolling Clerk, James D. Wood, Sergeant-at-Arms, C. L. Hall, Doorkeeper, Ira Thompson, Fireman, George W. Thompson, Assistant Sergeant-at-Arms, Charles McIntyre and Walter K. Marsh, Pages, Chris. Meyer, Interpreter, Chas. B. Stone, Messenger.

Mr. Peyton offered the following resolution:

Resolved, That a committee of three be appointed to report rules for the government of the House.

Mr. Pisko moved to amend by adding to the resolution, "that for the time being we adopt for the government of this House the rules of the House at the Tenth Session."

Amendment adopted and resolution as amended adopted.

Mr. Kruse presented the following:

Resolved, That the judges and ex-judges of the Supreme Court, members of the Executive Department, Attorney General, members of the Constitutional Convention, members of the Council, ex-members of the Legitlature and newspaper reporters be invited to seats on this floor.

On motion adopted.

Mr. Mills offered the following:

Resolved, That a committee of three, one of whom shall be a member of this House speaking the Spanish language, be appointed by the chair to apportion seats to the members of this House.

On motion adopted.

The chair appointed as such committee Messrs. Mills, Apadaca and Rand.

The chair appointed as Committee on Rules Messrs. Peyton, Marshall and Yonley.

Mr. Peyton presented the following resolution:

Resolved, That a committee of three be appointed, to act in conjunction with a like committee to be appointed by the Council, to wait upon His Excellency, the Governor, and ascertain at what hour it would be convenient for him to deliver the message to the joint session of the Council and House.

On motion of Mr. Pisko adopted.

The Speaker appointed as such committee Messrs. Peyton, Everitt and McShane.

On motion of Mr. Pisko, the House adjourned until to-morrow at 10 o'clock a. m.

THIRD DAY.

WEDNESDAY, January 5, 1876.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Present—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Sanchez, Trippe, Yonley and Mr. Speaker.

Absent—Messrs. Larned, Patterson, Smith and Sheldon.

Quorum present.

Journal read and approved.

Mr. Peyton offered the following resolution:

Resolved, That the Clerk be instructed to inform the Council that the House of Representatives is now fully organized, and ready to proceed to business.

On motion of Mr. Pisko adopted.

Mr. McShane moved the House now proceed to the election of a Chaplain.

Mr. Pisko moved to amend "that the House dispense with the office of Chaplain, and also dispense with the exercise of opening the session of the House with prayer."

Mr. Speaker ruled the amendment out of order, on the ground that it destroyed the original motion.

Mr. Pisko now moved to lay the motion on the table.

Mr. Mills called for the ayes and noes.

Those voting aye were Messrs Apadaca, Bingham. Duhme, Gurule, Jaramillo, Kruse, Meldrum, McNutt, Pisko, Patterson, Rettberg, Sanchez and Trippe, and Mr. Speaker—14.

Those voting nay were Messrs. Everitt, Mills, McShane, Marshall, Nimerick, Peyton, Rand, Smith and Yonley—9.

So the motion was laid on the table

The Speaker explained as his reason for voting aye, that he desired to give all the clergymen of the city opportunity to serve in the House.

Mr. McShane moved that clergymen be invited to open the session of this House with prayer.

Mr. Kruse moved the motion be indefinitely postponed.

A vote being taken and the chair being unable to decide, a division was called for.

There were 12 votes for and 10 votes against.

So carried and the motion indefinitely postponed.

Upon the suggestion of Mr. Meldrum, James M. Galloway, Engrossing Clerk, came forward and was sworn in.

The oath of office was administered by the Speaker.

Mr. Peyton, of committee, submitted the following report:

Mr. Speaker:

Your committee appointed to report rules for the government of the House, would respectfully report that we have had the same under consideration, and recommend that the rules adopted by the Tenth session of the House of Representatives for Colorado, be adopted for the government of the House during the present session. We would further recommend

that a committee on "Centennial Celebration" be added to the standing committees of the House.

I. N. PEYTON,
JAMES Y. MARSHALL,
J. H. YONLEY,
Committee on Rules.

Mr. Everitt moved the report be adopted.

Mr. Pisko called the attention of the House to imperfection in Rule No. 35.

Mr. Kruse moved to amend the motion offered by Mr. Everitt, so that the rules offered by the committee should be read singly by the clerk and acted upon by the House.

Motion lost.

Question now being on original motion, was carried and the report adopted.

Mr. Mills, of committee, submitted the following report:

To the Honorable, the Speaker of the House of Representatives of Colorado:

Your committee to whom it was referred to apportion the seats of members of this House, submit the following report: That we have performed that duty and have assigned the seats of the House, as follows: To Mr. Kruse seat No 1; to Mr. Larned seat No. 2; to Mr. Pisko seat No. 3; to Mr. Rettberg seat No. 4; to Mr. Bingham seat No. 5; to Mr. Everitt seat No. 6; to Mr. Meldrum seat No. 7; to Mr Peyton seat No. 8; to Mr. Mills seat No. 9; to Mr. Sheldon seat No. 10; to Mr. Rand seat No. 11; to Mr. Smith seat No. 12; to Mr. McShane seat No. 13; to Mr. Marshall seat No. 14; to Mr. Patterson seat No. 15; to Mr. Duhme seat No. 16; to Mr. Trippe seat No. 17; to Mr. McNutt seat No. 18; to Mr. Gurule seat No. 19; to Mr. Sanchez seat No. 20; to Mr. Jaramillo seat No. 21; to Mr. Apaduaca seat No. 22; to Mr. Youley seat No. 23; to Mr. Nimerick seat No. 24; to Mr. McCowen seat No. 25; to Mr. Speaker seat No. 0 (?). All which is respectfully submitted, January 5, 1876.

WM. B. MILLS,
GEORGE RAND,
MAURICIO APADACA,
Committee on Seats.

On motion of Mr. Peyton the report was received and adopted, and the committee discharged.

Mr. Jaramilla moved the Mexican members each be furnished with a copy of the rules.

Carried.

Mr. Mills, at his request, was excused from further attendance during the day.

Mr. Kruse moved the Spanish speaking members be furnished with the rules printed in Spanish.

Mr. Peyton explained that the matter should properly be deferred until the appointment of the committee on printing, and moved to lay the motion on the table.

Carried.

The Sergeant-at-arms announced the Hon. S. B. Hahn, of the Council.

Mr. Hahn presented the following message:

IN COUNCIL, January 5th, 1876.

To the Honorable Speaker of the House of Representatives:

We are instructed to inform your Honorable Body that the Council has organized, and is ready to proceed to business.

S. B. HAHN,
B B. STILES,
Committee.

Mr. Smith moved the House take a recess of half an hour.

Carried.

At expiration of recess the House was called to order by the Speaker.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 5, 1876.

To the Honorable Speaker of the House of Representatives:

SIR:—I am instructed to inform your Honorable Body that the Council has passed the following, in which the concurrence of the House is respectfully requested.

Resolved, The House of Representatives concurring therein, that both Houses of this Legislative Assembly will meet in

Representative Hall at 11 o'clock a. m. this day, to listen to the reading of the Governor's Message, or such other communication as he may be pleased to make.

Respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

On motion of Mr. Marshall the House concurred.

Mr. Peyton, of committee, submitted the following:

To the Honorable Speaker of the House of Representatives, of Colorado:

Your committee appointed to act in conjunction with a like committee appointed by the Council, to wait upon His Excellency, the Governor, and ascertain what time it would be convenient for him to deliver his message, would report that they have performed that duty, and that the Governor's private Secretary is now ready to deliver the message to the joint session.

I. N. PEYTON,
M. N. EVERITT,
JNO. C. McSHANE,
Committee.

The Sergeant-at-Arms announced the presence of the Council. The members of the Council were admitted. Both Houses now organized in Joint Convention. The Hon. Adair Wilson, President of the Council, presiding.

Mr. Smith, of the House, moved a committee of three be appointed to wait on His Excellency the Governor and inform him that the two Houses of the Legislative Assembly were now in Joint Convention for the purpose of receiving his message. Motion withdrawn.

The Sergeant-at-arms announced a message from the Governor by the hand of his private Secretary.

The Secretary was admitted and proceeded to the clerk's desk, and read the Message of His Excellency, Governor John L. Routt, to the Assembly.

Mr. Stiles, of the Council, now moved the Joint Convention dissolve.

Carried.

The Speaker called the House to order.

Mr. Sheldon moved the House adjourn until 2 o'clock p. m.
Mr. Smith moved to amend by striking out "2 o'clock p. m."
Amendment accepted.
The House adjourned under the rules until to-morrow at 10 o'clock a. m.

FOURTH DAY.

THURSDAY, January 6, 1876.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Absent—Messrs. Meldrum and Smith.
Quorum present.
Journal read and approved.
On motion of Mr. Rettberg, Mr. Meldrum was excused from attendance during the day.
The Speaker announced the following standing committees:

STANDING COMMITTEES.

Judiciary—Mills, Smith, Marshall, Kruse, McNutt.
Finance, Ways and Means—Sheldon, Larned, Rand, Duhme, Pisko.
Education—Pisko, McShane, Smith, Bingham, Sheldon.
Mines and Minerals—McNutt, Yonley, Kruse, Marshall, Patterson.
Agriculture and Manufactures—Everitt, McShane, Rettberg, Nimerick, Sanchez.
Stock—Bingham, Meldrum, Nimerick, Peyton, Rettberg.
Territorial Affairs—Smith, Yonley, Everitt, Sheldon, Trippe.
Federal Relations—Trippe, Patterson, Rand, Mills, Larned.
Printing—Larned, Peyton, Pisko, Nimerick, Duhme.
Rules and Joint Rules—Duhme, McShane, Smith, Bingham, Mills.
Military Affairs—Meldrum, Rettberg, Rand. Apadaca, Jaramilla.
Roads and Bridges—Everitt, Apadaca, Sanchez, Trippe, Meldrum.
Indian Affairs — Sanchez, Larned, Gurule, Apadaca, Meldrum.

Elections and Appointments—Kruse, Smith, Gurule, Meldrum, McNutt.

Counties and County Lines—Peyton, Rettberg, Sanchez, Marshall, Yonley.

Incorporations — Marshall, McNutt, Kruse, McShane, Jaramilla.

Territorial Library—Nimerick, Jaramilla, Bingham, Everitt, Larned.

Territorial Prison — McShane, Trippe, Yonley, Sheldon, Meldrum.

Railroads—Yonley, Mills, Bingham, Everitt, Patterson.

Immigration—Rettberg, Pisko, Patterson, Duhme, Apadaca.

Irrigation—Rand, Trippe, Rettberg, Nimerick, Gurule.

Engrossment—Pisko, Rand, McNutt.

Enrollment—Kruse, Peyton, Duhme.

Centennial—Patterson, Marshall, Sheldon, Peyton, Mills.

Mr. Pisko moved the Governor's Message be printed, and copies of the same furnished the members.

Motion carried.

Mr. Pisko moved that the matter of having the Governor's Message printed, be referred to the Committee on Printing.

No action.

Mr. Peyton moved there be fifteen hundred copies printed.

Mr. McShane moved to amend by saying "one thousand copies."

Mr. Jaramilla moved to amend asking that 100 copies be printed in the Spanish language.

No action.

Mr. Mills offered the following resolution, and moved its adoption:

Resolved by the House of Representatives, the Council concurring, That the Secretary of the Territory be and hereby is authorized to secure the translation of the Governor's Message into the Spanish language, for the purpose of having the same printed.

Resolution adopted.

Mr. Everitt moved there be printed 500 copies of the Governor's Message for the use of the House.

Carried.
Mr. Smith appeared and took his seat.
Mr. Pisko offered the following resolution:

Resolved, That the House Committee on Printing, the Council concurring, be and the same is hereby authorized and instructed to have the Governor's Message, as read to the Council and House of Representatives, translated into the German language, and printed in the German paper of the Territory having the largest circulation.

On motion of Mr. Smith adopted.
On motion of Mr. Mills, the Committee on Printing were instructed to furnish each member of the House with a copy of the Standing Committees of the House.

Mr. Everitt offered the following:

Resolved by the House of Representatives, the Council concuring, That the Sergeant-at-arms of the House be instructed to procure the following articles for the use of members: One gavel for the Speaker, two daily papers for each member, stamps, wrappers and other necessary stationery for the use of members.

At the suggestion of Mr. Smith the resolution was so amended as to authorize the members to select such papers as they prefer.
On motion of Mr. Peyton, the resolution as amended, was adopted.
On motion of Mr. Mills, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Absent—Messrs. McShane and Smith.
Quorum present.
Mr. Mills offered the following resolution:

Resolved, That the Standing Committee on Centennial, shall consist of six (6) members, and that the Honorable Edmund L. Smith, of Arapahoe County, be and he hereby is appointed a member of that committee.

On motion of Mr. Marshall adopted.
Mr. Rand offered the following.

Resolved, That the Honorable M. N. Everitt, of Jefferson, be added to the Committee on Irrigation.

On motion of Mr. Mills adopted.
Mr. Yonley offered the following resolution:

Resolved by the House of Representatives, the Council concurring, That the Sergeant at-arms be instructed to procure ten copies of the Revised Statutes of Colorado, for the use of the House.

Mr. Sheldon moved to amend the resolution by saying "and same number of copies of the Laws passed since the revision of of the Laws.
Amendment accepted, and on motion of Mr. Marshall, adopted as amended.
Mr. Smith appeared and took his seat.
Mr. McNutt, of the committee appointed by the Secretary of the Territory to examine the accounts of the Auditor and Treasurer, submitted the following report:

To the Legislative Assembly of Colorado Territory:

Your committee appointed by the Honorable Secretary of the Territory, to examine the books and accounts of the Auditor and Treasurer, in pursuance of law, respectfully report:
That your committee, pursuant to law, assembled at the office of the Territorial Auditor, and having been duly sworn, entered upon the discharge of their duties.
Your committee do not consider it necessary to report in detail the separate receipts and disbursements, as they will fully appear in the complete and exhaustive reports of the Auditor and Treasurer, which will be laid before your Honorable Body.

Your committee have made a thorough examination of the books, papers, accounts, and vouchers of the official transactions of the Auditor and Treasurer, during the fiscal years 1874 and 1875, and beg leave to report that they found all the accounts, warrants, and vouchers, presented by these officers to be correct in every particular. We cannot find that any useless expenditures of the public money have been made, or any fraudulent or fictitious accounts allowed, or any warrants paid unauthorized by law, and your committee commend these officers for their plain and correct system of keeping the public accounts of the Territory.

Your committee find the balance in the Treasury by the Auditor's books to be

General Revenue	$ 2,594	62
Outstanding warrants unpaid, December 31, 1875,	2,228	00
Making the Treasurer's balance, General Revenue,	$4,822	62
Auditor's balance in the Treasury, Territorial Deaf Mute fund	$ 523	45
Treasurer's balance in the Treasury, Territorial Deaf Mute fund	523	45
Treasurer's total balance in the Treasury, January 1, 1876	5,346	07
Auditor's total balance in the Treasury, January 1, 1876	3,118	25

In conclusion, your committee have to congratulate the Territory upon the satisfactory manner in which the affairs of the Treasury Department have been conducted.

Respectfully submitted,

BELA M. HUGHES,
Member of the Legislative Council.

R. J. McNUTT,
Member of the House of Representatives,

ALFRED BUTTERS,
Member of the House of Representatives,

Committee.

DENVER, January 4, 1876.

On motion the report was received.

On motion of Mr. Pisko, the House adjourned until to-morrow at 10 o'clock a. m.

FIFTH DAY.

FRIDAY, January 7, 1876, 10 o'clock, a. m.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Absent—Mr. Smith.
Quorum present.
On motion of Mr. Mills, Mr. Smith was excused from attendance during the morning session.
Journal read and approved.
Mr. McNutt presented a number of petitions from citizens of La Plata county, praying a division of said county; also one petition against such division.
On motion of Mr. McNutt, the petitions were referred to the Committee on Counties and County Lines.
Mr. Everitt presented a petition from citizens of Jefferson county, asking a law be passed requiring County Commissioners to give bonds for the faithful discharge of their duties.
A Memorial from the Board of Centennial Managers was read bo ihe clerk, and on motion of Mr. Pisko, referred to the Committee on Centennial.
Mr. Larned, of Committee on Printing, reported that the list of standing committees was being printed.
Mr. Peyton, of same committee, reported that the Secretary of the Territory had ordered the Rules of the House printed.
Mr. McNutt offered the following resolution:

Resolved, That the Committe on Finance, Ways and Means, be instructed to ascertain the amount of outstanding indebtedness of the Penitentiary, as per report of the Board of Managers, and to report a bill at an early day for an appropriation to cover such amount.

On motion of Mr. Trippe, the rosolution was adopted;
Mr. Yonley moved the vote by which the House passed the resolution relative to providing the House with copies of the Revised Statutes, be reconsidered.
Motion carried.
Mr. Peyton offered the following:

Resolved, That the Sergeant-at-arms be instructed to purchase twenty-six copies of the Revised Statutes of Colorado.

for the use of members of the House; also Acts of the Legislature of the Eighth, Ninth, and Tenth Sessions, for each member.

On motion adopted.

Bills were introduced as follows:

Mr. McNutt introduced H. B. No. 1, entitled "A Bill for an Act to establish the county of San Juan."

Mr. Pisko introduced H. B. No. 2. entitled "A Bill for an Act to amend section one (1) of chapter six (6) of the Revised Statutes, etc.," entitled "Attachments."

Also H. B. No. 3, entitled "A Bill for an Act to repeal section three (3) of chapter fifteen (15) of the Revised Statutes, etc.," concerning churches.

Also H. B. No. 4, entitled "A Bill for an Act to amend section seven (7) of an Act entitled 'To provide for the assessment and collection of Revenue.'"

H. B's No's 1, 2, 3, and 4, read first time.

Mr. McNutt moved the rules be suspended, and H. B. No. 1 be referred to the Comittee on Printing.

Mr. Marshall objected, and the motion was withdrawn.

On motion of Mr. Peyton, adjourned until 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Apadaca and Smith.

Quorum present.

Messrs. Apadaca and Smith appeared and took their seats.

Mr. Sheldon moved the House adjourn until Monday next at 10 o'clock a. m.

Motion carried, and House so adjourned.

SIXTH DAY.

MONDAY, January 10, 1876, 10 o'clock a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Apadaca, Duhme, Everitt, Kruse, McShane, Smith and Sheldon.

Quorum present.

On motion of Mr. Patterson, Mr. Duhme was excused.

On motion of Mr. Jaramilla, Mr. Apadaca was excused.

Journal read and approved.

During the reading of the journal, Messrs. Everitt, Kruse, McShane, Smith and Sheldon appeared, and took their seats.

Mr. Trippe offered the following resolution:

Resolved, That the thanks of this House are hereby tendered to the Mayor, Common Council, and citizens of Denver, for their generous hospitality of the 8th instant.

On motion of Mr. McNutt, adopted.

Mr. Pisko presented the following communication:

DENVER, January 8, 1876.

DEAR SIR:

I am directed by the Board of Directors of the Denver Library Association, to tender your Body the use of its rooms during your session. Hoping you may find our books and newspapers of value, I remain,

Respectfully,

WM. D. TODD,
President.

Honorable Alfred Butters, Speaker of the House, Denver.

On motion of Mr. Sheldon, the invitation was accepted with thanks.

On motion of Mr. Mills, the Clerk was instructed to furnish the members of the House with certificates of membership.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 10, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body, that the Council has passed House concurrent resolutions authorizing the publication of the Governor's Message in Spanish and German. It has amended House concurrent resolution concerning supplies, etc., to read as follows:

Resolved by the House of Representatives, the Council concurring therein, That the Sergeant-at arms of the House, and the Sergeant-at arms of the Council, respectively be instructed to procure the following articles for the use of members of each Body: One gavel for the President and one for the Speaker, two daily papers for each member of both bodies, stamps, wrappers, and other necessary stationery for the use of members, members to inform the Sergeant-at-arms of each Body respectively, what daily papers they may prefer. The adoption by the House of the amendment to the Resolution, is respectfully asked. Very respectfully,

Your obedient servant,

JAMES T. SMITH,
Secretary.

On motion of Mr. Mills, the amendments proposed by the Council were concurred in.

On motion of Mr. Peyton, the House adjourned until tomorrow at 10 o'clock a. m.

SEVENTH DAY.

TUESDAY, January 11, 1876.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Apacada, Duhme, Mills, Smith and Sheldon.

Quorum present.

On motion of Mr. Pisko, Mr. Duhme was excused during the day.

On motion of Mr. Jarmarilla, Mr. Apadaca was excused during the day.

Journal read and approved.

Mr. Larned, of committee, reported as follows:

MR. SPEAKER.—The Committee on Printing, report back House Bills No's 1, 2, 3 and 4, correctly printed.

WM. LARNED,
Chairman.

January 11, 1876.

Report received.

Messrs. Smith and Sheldon appeared and took their seats.

State Historical and
Natural History Society,
DENVER, COLORADO.

On motion of Mr. McShane, the Governor's Message was made the special order of the day for to-morrow afternoon.

Mr. Everitt offered the following resolution:

Resolved, That the Judiciary Committee be instructed to report a bill for an act providing that when any suit at law shall be thrown out of court from any technical error, the lawyer or lawyers making such error shall pay all costs of suit and all damages that may be proven to have been done by such error.

Also a bill for an act to compel railroad companies to fence their track through all enclosed farms in Colorado.

Mr. McNutt moved the resolution be adopted.

Mr. Pisko moved to so amend that the resolution be referred to the Judiciary Committee.

Amendment carried, and resolution so referred.

Mr. Everitt offered the following resolution:

Resolved, That the Judiciary Committee be instructed to report a bill amending the law concerning change of venue, so as to require the county from which a change of venue is taken to pay the expense of the trial of the same, either in current money or the orders of the county to which the change is taken.

On motion of Mr. Pisko referred to Judiciary Committee.

Bills were introduced as follows:

Mr. Everitt introduced H. B. No. 5, entitled "a bill for an act to prohibit counties, cities and towns subscribing to the capital stock of private corporations."

Mr. Marshall introduced H. B. No. 6, entitled "a bill for an act to provide means for the representation of Colorado at the Centennial exhibition."

House Bills Nos. 5 and 6 were read first time and referred to Committee on Printing.

Mr. Mills appeared and took his seat.

H. B. No. 1 was read the second time, and, on motion of Mr. McNutt, referred to the Committee on Counties and County Lines.

H. B. No. 2 was read the second time.

Mr. Pisko moved the bill be referred to the Committee on Judiciary, with instructions to said committee to report at an early day.

Motion carried and bill so referred.

H. Bs. Nos. 3 and 4 read the second time.

On motion of Mr. Pisko, referred to the Judiciary Committee.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 11, 1876.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your honorable body that the Council has passed the following:

Resolved, By the Council, the House of Representatives concurring, that the following committees be appointed, each to consist of one member from the Council and two from the House respectively, who shall visit the Penitentiary at Cañon City, the Colorado University at Boulder City, the Deaf Mute Institute at Colorado Springs, and the Territorial School of Mines at Golden, and to report to this joint body at an early day. The concurrence of the House is respectfully requested.

Very respectfully, your obedient servant,

JAMES T. SMITH,
Secretary.

On motion of Mr. Peyton, the resolution was concurred in.

The following communication was received:

COLORADO STOCK AND EXCHANGE BOARD,
Denver, January 6, 1876.

To the Honorable, the Speaker of the House of Representatives of Colorado:

DEAR SIR: You and the officers and members of your honorable body are, by resolution of the Colorado Stock and Exchange Board, respectively invited at your individual convenience during your stay in Denver, to visit and sit with the Board during the call of stocks. The sessions are daily at 11.45 a. m., in the "Tribune" building on Holiday street near Sixteenth. Respectfully yours,

A. B. ROBBINS,
President.

On motion of Mr. McShane, the invitation was accepted with thanks.

On motion of Mr. Meldrum, adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Bingham and Smith

Quorum present.

On motion of Mr. Patterson, Mr. Bingham was excused from further attendance during the day.

Mr. Sheldon moved the Speaker appoint the committees provided for in Council Concurrent Resolution relative to the appointment of joint committees to visit the Penitentiary, University, Deaf Mute Institute, and School of Mines.

Motion carried.

The chair appointed the committee as follows:

To visit Colorado Penitentiary, Messrs McShane and Rand.

To visit the University of Colorado at Boulder, Messrs Marshall and Sheldon.

To visit the Deaf Mute Institute at Colorado Springs, Messrs. Kruse and Nimerick.

To visit the School of Mines at Golden, Messrs. McNutt and Yonley.

Mr. Everitt introduced the following resolution, and moved its adoption:

Resolved, That a committee of three be appointed by the chair to confer with the pastors of the several churches of Denver and make such arrangements as they may think best for opening the sessions of this House with prayer.

Mr. Rand called for the ayes and noes.

Mr. McNutt offered the following as a substitute for the original resolution:

Resolved, That while we consider the paid for prayers of Legislative bodies of only the same material benefit that they would be under the same circumstances in commencing the daily routine of any other business, that we do most cordially invite any and all ministers or priests, without regard to sect,

denomination or religion, to meet with us each day, ten (10) minutes before the commencement of the business of the morning session and lead us in prayerful communion with the Supreme Being.

The substitute was accepted.

Mr. Pisko moved to amend the substitute by striking out the words "ten minutes," and insert in lieu thereof the words "half an hour."

Motion lost.

Mr. Marshall moved to amend by striking out of the Resolution all before the words "we do most corially invite."

Mr. Kruse moved the whole matter be indefinitely postponed.

The ayes and noes were called for on the motion.

Those voting aye were Messrs Jaramilla, Kruse, Meldrum, Pisko, Patterson, Rettberg, Sheldon and Trippe—8.

Those voting no were Messrs. Everitt, Gurule, Larned, McShane, Marshall, McNutt, Nimerick, Peyton, Rand, Sanchez, Youley and Mr. Speaker—12.

Absent—5

So the motion to indefinitely postpone was lost.

The question now being on the adoption of the Resolution, Mr. Marshall renewed his motion to amend, by striking out all before the words "we do most cordially invite."

Mr. Trippe moved the whole question be postponed until to-morrow morning.

A division of the House being had, there were for the motion—10 Against—10.

So lost.

Mr. Smith appeared and took his seat.

Mr. Smith called for the reading of the Resolutions.

Resolutions read.

The question now being upon the amendment offered by Mr. Marshall, was lost.

The question now being upon the adoption of the Substitue Resolution, a division of the House was had.

There were 16 for and 1 against.

So the resolution was adopted.

Mr. Kruse moved the vote making the Governor's Message the special order for to-morrow afternoon be reconsidered.

Motion carried.

Mr. Kruse moved the House now proceed to the consideration of the Governor's Message.

Carried.

The Message was ordered read by sections.

That portion relating to Territorial finance was read, and on motion of Mr. McShane referred to the committee on Finance, Ways and Means.

That portion relating to Treasurer's report was read. On motion of Mr. Kruse, referred to the Committee on Finance, Ways and Means.

That portion relating to our tax laws was read. On motion of Mr. Kruse, was referred to the Committee on Finance, Ways and Means.

That portion relating to education was read. On motion of Mr. Sheldon, referred to the Committee on Education.

The portion relating to the Univerity of of Colorado was read, and Mr. Rand moved it be referred to the Committee on Finance, Ways and Means.

Mr. Kruse moved to amend, by referring to the Special Committee, heretofore appointed on part of the House, to visit the University.

Amendment accepted and motion carried.

There being some misunderstanding in relation to the motion above, Mr. Sheldon moved the vote by which the motion carried be reconsidered.

Carried.

On motion of Mr. Rand, it was referred to the Committee on Finance, Ways and Means.

That portion relating to the Deaf Mute Institute was read.

On Motion of Mr. Yonley, referred to Committee on Finance, Ways and Means.

That portion relating to the Penitentiary was read, and on motion of Mr Pisko, referred to the Committee on Territorial Prisons.

That portion relating to the apprehension of fugitives from justice was read, and on motion of Mr. Sheldon, referred to the Judiciary Committee.

That portion relating to the Militia was read, and on motion of Mr. Patterson, referred to the Committee on Military affairs.

That portion relating to the Registration Law was read, and on motion of Mr. Sheldon, referred to the Committee on Elections.

That portion relating to the Board of Health was read, and on motion of Mr. Kruse, referred to the Committee on Finance, Ways and Means.

That portion relating to the Centennial was read, and on motion of Mr. Yonley, referred to the Centennial Committee.

At the request of Mr. McNutt, that portion of the Message relating to Education was again taken up, and Mr. McNutt offered the following resolution:

Resolved, That the attention of the Committee on Education is particularly called to that part of the Message wherein the following language occurs: "In view of the above facts, I believe the adoption of a system of education, to some extent compulsory, is but a matter of time, etc.," and report what action, if any is necessary upon that point, at the present time.

On motion adopted,

On motion of Mr. Kruse, House adjourned.

EIGHTH DAY.

WEDNESDAY, January 12, 1876, 10 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Apadaca and Smith.

Quorum present.

Journal read and approved.

Mr. Smith appeared and took his seat.

Mr. Larned, of Committee on Printing, reported back H. Bs. Nos. 5 and 6 correctly printed.

Mr. Rettberg offered the following resolution:

Resolved, That the Committee on Stock be instructed to report a bill to this body for the more complete protection of the owners of stock in their rights of property and for the more speedy apprehension of the perpetrators of malicious killing of stock.

Mr. Kruse moved the resolution be adopted and referred to the Committee on Stock.

Carried and so referred.

Bills were introduced as follows:

Mr. Trippe introduced H. J. M. No. 1, a memorial to the Senate and House of Representatives of the United States in Congress assembled, calling attention to the grievances of the Ute Indians.

Also, by Mr. Trippe, H. J. M. No. 2, a memorial to the Senate and House of Representatives of the United States in Congress assembled, praying for the establishment of a military post in sou hwestern Colorado, and for the construction of a military wagon road from some point on the Rio Grande river across the main range to Fort Defiance.

Mr. Yonley introduced H. B. No. 7, "a bill for an act to provide for the relief of Patrick A. Skeahan."

Mr. Peyton introduced H. B. No. 8, "a bill for an act concerning the Probate Court of Saguache county, Colorado."

Also, by Mr. Peyton, H. B. No. 9, "a bill for an act to change the name of Herman Brand.

Also, by Mr. Peyton, H. B. No. 10, "a bill for an act for the protection of fish in Colorado."

Also, by Mr. Peyton, H. B. No. 11, "a bill for an act for the protection of wild game in Colorado"

Mr Kruse introduced H. B. No. 12, "a bill for an act to reestablish the boundaries of Gilpin county."

Mr. Meldrum introduced H. B. No. 13, "a bill for an act concerning the Probate Courts of Larimer county."

Mr. Sheldon introduced H. B. No. 14, "a bill for an act concerning county roads."

Mr. McShane introduced H. B. No. 15, "a bill for an act to change the name of Charles St. George Law."

Mr. Everitt introduced H. B. No. 16, "a bill for an act requiring county commissioners and others to give bonds."

H. J. Ms. Nos. 1 and 2 and H. Bs. Nos. 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 read first time and referred to the Committee on Printing.

H. B. No. 5 was read the second time.

H. B. No. 6 was read the second time, and, on motion of Mr. Marshall, referred to the Committee on Centennial.

Mr. Mills offered the following resolution:

Resolved, That the Committee on Judiciary be authorized to employ one clerk to aid said committee in all necessary clerical work, and to be paid at a rate not exceeding the per diem paid the Engrossing Clerk.

On motion of Mr. Kruse, the resolution was adopted.

Mr. Peyton moved the House adjourn.

Motion carried and the House adjourned until to-morrow at 10 o'clock a. m.

NINTH DAY.

THURSDAY, January 13, 1876.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Absent—Messrs. Mills and Smith.
Quorum present.
Journal read and approved.
Mr. Peyton, of Committee, submitted the following report:

To the Honorable Speaker of the House of Representatives:

Your Committee on County and County Lines, to whom was referred H. B. No. 1, entitled "a bill for an act to establish the county of San Juan, have had the same under consideration, and report the same back to the House, with the recommendation that it do pass.

I. N. PEYTON,
Chairman.

Mr. McNutt moved the report be adopted, and the bill ordered engrossed for third reading.
Motion carried and bill referred to Committee on Engrossment.
Mr. Sheldon, of Committee on Finance, submitted the following report:

Mr. Speaker:

Your committee under instructions from the House to ascertain the amount of outstanding indebtedness of the Penitentiary, as per report of Board of Managers, and to report a bill at an early day for an appropriation to cover such amount, having considered the same, beg leave to report that we find that of the sum of thirty thousand dollars ($30,000) appropriated at the last Legislative session, but little over twenty-four thousand dollars ($24,000) have been drawn for the use of the Penitentiary, and that said appropriation ha been exhausted. We find nothing in the report of the Board of Managers which serves to explain this discrepancy between appropriation and expenditure. We find further, that there is subsisting, as per Managers' report, an indebtedness of six thousand seven hun-

dred and ninety-one dollars ($6,791), for supplies and for services of employes of the Penitentiary; and also the fact that the salaries of the Managers for three months last remain unpaid, thus increasing this indebtedness about six hundred dollars ($600). and making an aggregate of seven thousand four hundred dollars ($7,400). Some of the aforesaid unpaid employes, it is said, are now idle and waiting payment to enable them to go abroad. Therefore, to cover this indebtedness we beg leave to offer the accompanying bill.

Respectfully submitted,

A. Z. SHELDON,
Chairman.

DENVER, January 12, 1876.

Mr. Pisko moved the report be adopted, and the bill placed on file for first reading.

Motion carried and bill so ordered.

The Committee on Printing submitted the following:

Mr. Speaker:

The Committee on Printing report back H. Bs. Nos. 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16; also, H. J. Ms. Nos. 1 and 2, correctly printed.

WM. LARNED,
Chairman.

January 13, 1876.

Received.

Bills were introduced as follows:

Mr. Rand introduced H. B. No. 17, a bill for an act to amend an act, entitled, "An act to provide for the assessment and collection of revenue," approved February 11, 1870.

Mr. McNutt introduced H. B. No. 18, a bill for an act to amend section four of an act, entitled, "An act concerning mines;" also, by Mr. McNutt, H. B. No. 19, a bill for an act to amend section six and section 13 of an act, entitled, "An act concerning mines."

The Committe on Finance, Ways and Means introduced H. B. No. 20, a bill for an act to cover the deficit in the expenditures of the Penitentiary for the year ending Dec. 31, 1876.

H. Bs. Nos. 17, 18, 19 and 20, read first time and referred to Committee on Printing.

H. B: No.7 read the second time.

On motion of Mr. Pisko, referred to the Committee on Finance, Ways and Means.

H. B. No. 8 was read the second time.

On motion of Mr. Peyton, referred to the Judiciary Committee.

H. B. No. 9 was read the second time, and on motion of Mr. Peyton referred to the Committee on Territorial Affairs.

H. B. No. 10 was read the second time, and on motion of Mr. Peyton referred to the Committee on Territorial Affairs.

H. B. No. 11 was read the second time and on motion of Mr. Peyton referred to the Committee on Territorial Affairs.

The following messages were received from the Council:

COUNCIL CHAMBER,
DENVER, January 12, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body, that the Council has passed C. B. No. 5, an act to amend chapter ten (10) of the Revised Statutes, entitled "Bills of exchange and promissory notes," and ask the concurrence of the House.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

COUNCIL CHAMBER,
DENVER, January 12, 1876.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your honorable body that the Council has accepted the following invitation, to wit:

To the Honorable the Council and House of Representatives of Colorado Territory:

The trustees of the University of Colorado at Boulder, respectfully invite your Honorable Body to visit the University of Colorado, and examine the institution, at such time as will

suit the convenience of the respective Legislative Bodies.

Respectfully,

EPHRIAM POUND,
President, *pro tem.*
AMOS WIDNER,
Secretary.
IRA E. LEONARD,
Chairman Building Committee.

And that the Council has resolved to visit said University, on Saturday next the 15th instant. The concurrence of the House of Representatives is respectfully requested.

Very respectfully, your obedient servant,

JAMES T. SMITH,
Secretary.

COUNCIL CHAMBER;
DENVER, January 13, 1876.

To the Honorable Speaker of the House of Representatives:

SIR:—I am instructed to inform your Honorable Body that the President of the Council has made the following appointments in obedience to concurrent resolution of the Legislative Assembly: To visit Territorial Penitentiary, Mr. Clelland; to visit Deaf Mute Institute, Mr. Eaton; to visit Colorado University, Mr. Hahn; to visit School of Mines, Mr. Salisbury.

Very respectfully, your obedient servant,

JAMES T. SMITH,
Secretary.

H. B. No. 12 was read the second time, and on motion of Mr. Rand was referred to the Committee on Counties and County Lines.

H. B. No. 12 was read the second time.

On motion of Mr. Meldrum, referred to the Judiciary Committee.

H. B. No. 14 read the second time.

After offering some explanation touching the bill, Mr. Sheldon moved that the bill be referred to the Committee on Roads and Bridges.

Carried.

H. B. No. 15 read the second time.

On motion of Mr. Marshall, referred to the Committee on

Indian Affairs.

H. B. No. 16 read the second time.

On motion of Mr. Rand referred to the Committee on Territorial Affairs.

H. J. M. No. 1 read the second time.

On motion of Mr. McNutt, referred to the Committee on Federal Relations.

H. J. M. No. 2 read the second time.

On motion of Mr. McNutt, referred to the Committee on Federal Relations.

H. B. No. 5 coming up on third reading, Mr. Pisko moved to refer the bill to the Committee of the Whole.

Motion Carried.

So referred.

The House now went into Committee of the Whole, Mr. Pisko in the chair.

During the sitting of the Committee Mr. Mills appeared and took his seat.

After a time the Committee arose.

The Chairman stated he would report at the afternoon session.

Mr. Pisko moved to adjourn until 2 o'clock p. m.

Mr. Peyton moved to amend by saying 10 o'clock a. m. to-morrow.

At the request of Mr. Rand, the motion to adjourn was withdrawn.

Mr. Rand moved that the invitation extended by the Trustees of the University of Colorado at Boulder, be accepted.

Motion carried.

Mr. Pisko renewed his motion to adjourn.

Mr. Peyton renewed his motion to amend.

The question being on the amendment was carried, and the House declared adjourned until to-morrow at 10 o'clock a. m.

TENTH DAY.

FRIDAY, January 14, 1876, 10 o'clock, a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Mr. Trippe.

Quorum present.

Journal read and approved.

During the reading of the journal, Mr. Trippe appeared and took his seat.

Mr. Sheldon arose to make some explanations of the report of the Committee on Finance, Ways and Means, touching their report relating to the report of the Board of Managers of the Penitentiary.

Mr. Kruse moved the gentleman make his explanation in writing, and the same be spread upon the journal.

Motion carried.

Mr. Pisko submitted the following report:

MR. SPEAKER;—The Committee of the Whole have had under consideration H. B. No. 5, and report the same back to the House with the following recommendation: Add a section to be called section 3, to read as follows: "Nothing in this act shall be so construed as to affect in any manner an act approved February 13th, 1874, entitled An Act to enable counties to provide water for mining, milling, irrigating and domestic and fire purposes;" also add a section to be called section 4, to read as follows: "The counties of Rio Grande, Hinsdale, Saguache, La Plata and El Paso, are hereby excepted from the provisions of this act," and would further recommend that the bill as amended be referred to the Committee on Railroads, with instructions to draft a substitute that will more effectually protect the counties, but not to entirely prohibit the right to issue bonds.

Respectfully submitted,

EDWARD PISKO,

Chairman of Committee on the Whole.

January 13th, 1876.

On motion of Mr. Pisko the report was received, and the bill referred to the Committee on Railroads.

Mr. Trippe submitted the following report:

MR. SPEAKER:—Your Committee on Federal Relations have had under consideration House Joint Memorials No's 1 and 2, and report the same back with the recommendation that they do pass.

Respectfully,

T. M. TRIPPE,

Chairman of Committee on Federal Relations.

Report received.

Mr. Sanchez submitted the following report:

MR. SPEAKER:—Your Committee on Indian Affairs to whom was referred H. B. No. 15, have had the same under consideration, and would respectfully report the same back to the House with recommendation that it do pass.

Respectfully,

FRANCISCO SANCHEZ, Pres't,
DONACIANO GURULE,
MAURICIANA APADACA,
WILLIAM LARNED,
N. H. MELDRUM.

Report received.

Mr. Patterson submitted the following report:

To the Honorable Speaker of the House of Representatives:

Your committee having had under consideration House Bill No. (6) six, hereby respectfully report that we recommend that section (1) of said bill be amended by striking out the word "twenty" in the first line of section (1) one, and substituting in the place thereof the word "fifteen," and by inserting after the word "dollars" in the second line of said section one (1), the words "or so much thereof as may be necessary," and upon being so amended we recommend the passage thereof.

D. C. PATTERSON,
Chairman Centennial Committee.

January 13, 1876.

Report received.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 13, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council have pas[illegible] the following:

Resolved, By the Council, the House of Representatives concurring, that one thousand copies each of the Territorial Auditor's, School Superintendent, and Treasurer's reports be printed for the use of this Legislature, and that the Committee on Printing of each House be authorized to have the same done without delay The concurrence of the House is requested.

Very respectfully, your obedient servant,
JAMES T. SMITH,
Secretary.

COUNCIL CHAMBER,
DENVER, January 13, 1876.

To the Honorable Speaker of the House:

SIR.—I am instructed to inform your Honorable Body that the Council have passed C. B. No. 20, for an act to change the name of Andrew Alfred Wood to Andrew Wood Decker, and to make him heir-at-law of Daniel Decker; C. B. No. 29 for an act to change the name of George Frederick Underwood to that of George Frederick Stebbins; C. B. No. 11 for an act to amend section 18 of chapter 35 of the Revised Statutes, entitled "Forcible entry and Detainer." The concurrence of the House is requested.

Very respectfully, your obedient servant,
JAMES T. SMITH,
Secretary.

The Committee on Printing submitted the following:

MR. SPEAKER.—The Chairman on Printing, reports back House Bills No's 17, 18, 19 and 20, and find them correctly printed.

WM. LARNED,
January 13, 1876. Chairman.

Report received.

Mr. Jaramilla moved there be printed fifteen hundred (1,500) copies of the Governor's Message in the Spanish language for distribution among the Mexican population of the Territory.

Mr. Everitt moved to amend by striking out 1,500 and inserting 500.

Amendment lost.

The question being on the original motion was lost.

Mr. Mills moved there be 500 copies of the Governor's Message printed in the Spanish language.

Mr. Pisko moved to amend by saying 250 copies.

Amendment accepted, and motion as amended carried.

Mr. Trippe presented the following communication:

To the Officers and Members of the House of Representatives:

GENTLEMEN:—Permit me to give myself the pleasure of inviting you to visit my Museum, which largely represents the birds, mammals, minerals, fossils, and relics of the Territory in whose interest you labor. Please either come as a body or individually, as best suits your convenience.

Very respectfully,

M. A. MAXWELL.

Mr. Everitt asked leave to introduce a substitute for H. B. No. 5.

Mr. Smith moved the rules be suspended and Mr. Everitt allowed to introduce the bill.

Motion carried, and Mr. Everitt introduced S. H. B. No. 5, A Bill for an act to amend chapter eighteen of the Revised Statutes of Colorado Territory.

On motion of Mr. Everitt, referred to the Committee on Railroads.

Mr. McShane offered the following resolution:

Resolved, That no new bills shall be introduced or considered in this House after February 1, 1876.

Mr. Smith moved it be adopted.

Mr. Marshall moved to amend by striking out the word "considered."

Amendment accepted.

Mr. Mills moved to further amend by saying, "except those introduced by chairmen of standing committees."

Amendment lost.

Question now being upon the original resolution as amended, was lost.

Mr. Peyton offered the following

Resolved, That no new bills shall be introduced for the consideration of this House after the 5th day of February, except the General Appropriation bill.

Mr. Mills moved to amend by saying, "except by consent of two-thirds of the House.

Amendment accepted, and on motion resolution as amended adopted.

Mr. Sheldon offered the following resolution:

Resolved, That the Judiciary Committee be instructed to inquire whether the Statutes provided a remedy to parties desiring to adopt children or a change of name; if no such provision be found, that they report a bill to relieve the Legislature of this duty.

Mr. Peyton moved to adopt.
Motion lost.

Mr. Peyton offered the following certificate:

TREASURY DEPARTMENT, TERRITORY OF COLORADO,
AUDITOR'S OFFICE, DENVER, May 15, 1875.

I hereby certify that Wm. N. Byers, publisher of the Rocky Mountain *News*, is justly entitled to the sum of three hundred and eighty-five and 50-100 dollars, balance due him for printing two thousand copies of the report of the Board of Immigration, by order of the Legislature of Colorado Territory, at its Tenth Session, A. D. 1874; that said sum is a just claim against the Territory and is not paid by me for the reason that the fund appropriated by the Legislature for legislative printing is exhausted.

L. C. CHARLES,
Territorial Auditor.

Mr. Peyton now offered the following resolution:

Resolved, That the bill of Wm. N. Byers against the Territory of Colorado, be referred to the Committee on Finance, Ways and Means, with instructions to report what action, if any, this House should take in regard to said bill.

Mr. McNutt moved the resolution be adopted.
Motion carried.

Bills were introduced as follows:
Mr. Nimerick introduced H. B. No. 21, "a bill for an act regulating the pay of road overseers in Douglas county."
Mr. Marshall introduced H. B. No 22, "a bill for an act concerning the Probate Court of the county of Lake."
Mr. Peyton introduced H. B. No. 23, "a bill for an act to change the name of Malcolm C. Duncan."
Also by Mr. Peyton, H. B. No. 24, "a bill for an act for the relief of Saguache county."
House Bills No's 21, 22 and 24, were read first time and referred to Committee on Printing.
On motion of Mr. Peyton the rules were suspended, and H. B. No. 23 read the second time and referred to the Committee on Military Affairs.
Council Concurrent Resolution relating to the printing of one thousand copies each of the reports of the Territorial Auditor, Treasurer, and Superintendent of Public Instruction, was read.
Mr. Pisko moved to amend by striking out "one thousand" and inserting two hundred and fifty.
Motion carried, and on motion of Mr. Mills the resolution as amended was concurred in.
Council Bill No. 5 read the second time.
Mr. Peyton moved the rules be suspended, and the bill read the third time by title and put upon its final passage.
Motion carried.
Council Bill No. 5 was read the third time, and passed by the following vote:
Ayes—Messrs. Bingham, Duhme, Everitt, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—21.
Noes—Messrs. Apadaca, Gurule and Jaramarilla.
Absent—Mr. Smith.
So the bill passed, title agreed to.
H. B. No. 17 was read the second time.
On motion of Mr. Rand, referred to the Committee on Finance, Ways and Means.
H. B. No. 18 was read the second time.
Mr. McNutt moved to amend so that section one shall read "the last three (3) lines" instead of "last five (5) lines."

Carried, bill so amended, and on motion of Mr. Trippe referred to the Committee on Mines and Minerals.

Mr. Smith appeared and took his seat.

H. B. No. 19 read the second time.

Mr. Patterson moved to amend by striking out section (2) two.

Mr. McNutt moved to amend by referring to the Judiciary Committee.

Mr. McNutt withdrew his motion.

Question now being on the original motion, was lost.

Mr. Peyton now moved the bill be referred to the Judiciary Committee.

Mr. Mills moved to amend by referring to Committee on Mines and Minerals.

Motion carried, and bill so referred.

Mr. Pisko moved to adjourn until 2 o'clock p. m.

Mr. Kruse moved to amend by saying 1 o'clock p. m.

Lost.

Question now being on Mr. Pisko's motion, carried, and the House adjourned.

AFTERNOON SESSION—2 o'clock.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Smith and Sheldon.

Quorum present.

On motion of Mr. Rand Mr. Smith was excused.

H. B. No. 20 read the second time.

On motion of Mr. McShane, referred to the Committee on Territorial Prisons.

The report of the Committee on Centennial on H. B. No. 6, was taken up,

On motion of Mr. Marshall the bill was referred to the Committee on Engrossment.

Mr. Sheldon appeared and took his seat.

The report of the Committee on Indian Affairs on H. B. No. 15, was taken up.

Mr. McShane moved the rules be suspended, the bill considered engrossed and read the third time, and be put upon its final passage.

Motion carried.

H. B. No. 15 was read the third time and put upon its passage.

The vote was as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

Noes—None.

Absent—Mr. Smith.

So the bill passed, title agreed to.

H. B. No. 1 was read third time.

On motion of Mr. Trippe it was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

Noes—None.

So the bill passed, title agreed to.

Mr. Peyton was excused from attendance during the afternoon.

Mr. Mills moved the rules be suspended and H. J. M's No's 1 and 2 be considered engrossed, and each read third time and put upon their final passage.

Motion carried.

H. J. M. No. 1 was read the third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

Absent—Messrs. Peyton and Smith.

So the memorial passed, and title agreed to.

H. J. M. No. 2 was read the third time and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

Absent—Messrs. Peyton and Smith.
So the memorial passed, title agreed to.

Mr. Gurule introduced the following resolution:

Resolved, That the Committee on Printing be instructed to procure twenty copies of the Rules of the House printed in Spanish, for the use of the Mexican members of the House.

On motion of Mr. McNutt, adopted.

Mr. Marshall introduced the following resolution:

Resolved, That all committees of this House to which bills are referred, be instructed to strike out as superfluous, any clause or section which shall in words provide that the act so referred shall be in force from and after its passage, or that all acts or parts of acts inconsistent with the same are repealed, and to report the same to the House

On motion of Mr. McNutt, adopted.
Mr. Peyton introduced H. B. No. 25, "a bill for an act to change the name of Malcolm C. Duncan."
Read first time, and referred to Committee on Printing.

The following communication was presented by the Speaker:

COLORADO CATTLE-GROWER'S ASSOCIATION,
DENVER, Colorado, January 14, 1876.

Honorable Alfred Butters, Speaker of the House of Representatives

SIR:—The Council have tendered the use of their Chambers to the Colorado Cattle-Grower's Association, for to-morrow evening, and we have accepted their offer. We extend to your Honorable Body an invitation to meet with us on Friday eve, January 14th, and exchange views in relation to the cattle interests.

Respectfully yours,
JAMES M. WILSON,
President of the Colorado Cattle-Grower's Association.

On motion of Mr. Trippe, the invitation extended by Mrs.

Maxwell to the officers and members of the House, was accepted with thanks.

Mr. Kruse moved the House adjourn until Monday next, at 11 o'clock, a. m.

Mr. McNutt moved to amend by saying 10 o'clock a. m.

Amendment accepted.

Motion as amended carried, and House so adjourned.

ELEVENTH DAY.

MONDAY, January 17, 1876.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Duhme, McShane, Marshall and Rand.

Quorum present.

Journal read and approved.

The following communication was received from the Council :-

COUNCIL CHAMBER,
DENVER, January 14th, 1876.

To the Honorable Speaker of the House of Representatives :

SIR :—I am instructed to inform your Honorable Body that the Council has passed C. B. No. 37, for an act to change the name of certain persons, and requests the concurrence of the House therein; also that the following resolution has passed·

WHEREAS, A committee of the members of the Constitutional Convention, now in session, has been appointed to confer with the Legislative Assembly in reference to matters affecting the interests of both bodies; therefore

Resolved, by the Council, the House concurring, that a Joint Committee consisting of two members from the Council and three from the House, be appointed to confer with the said committee from the Constitutional Convention with reference to the matters aforesaid, and to report to the respective bodies accordingly, and that the House amendment to Council concur-

rent resolution in regard to printing reports of Territorial officers has been agreed to.

Very respectfully, your obedient servant,

JAMES T. SMITH,
Secretary.

Mr. Pisko submitted the following:

DENVER January 17, 1876.

MR. SPEAKER —Your Committee on Engrossment, to whom was referred House Bill No. 6, report that they have examined the same and find it correctly engrossed as amended

Respectfully submitted,

EDWARD PISKO,
Chairman.

Report received.

Mr. Mills, of committee, submitted the following reports:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred House Bill No. 13, entitled "an act concerning the Probate court of Larimer county," beg leave to report that they have had the same under consideration, and report the same back with the recommendation that it be passed.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred House Bills No's 3 and 4, entitled respectively, "an act to repeal sec. 3 of chap. 15, Revised Statutes of the Territory of Colorado, concerning churches," and "an act to amend sec. 7 of an act entitled 'an act to provide for the assessment and collection of revenue,'" etc,, approved February 11, 1870, respectfully report that we have had the same under consideration, and report the same back with a recommendation that both of said bills be referred to the Committee on Finance, Ways and Means.

W. B. MILLS,
Chairman.

Reports received.

Mr. Meldrum submitted the following report:

MR. SPEAKER:—Your committee to whom was referred H. B. No. (23) twenty-three, beg leave to report that they have had the same under consideration, and report the same back with the recommendation that it do pass.

N. H. MELDRUM,
Chairman.

Report received.

The Committee on Printing reported as follows:

MR. SPEAKER:—The Committee on Printing report back House Bills No's 21, 22, 24 and 25, and find them correctly printed.

WM. LARNED,
Chairman.

Report received.

Mr. Pisko introduced the following resolution:

Resolved, That from this day and hereafter, the House dispense with that provision of House Rule No. 22, requiring the giving notice for the introduction of bills.

Mr. Smith moved it be adopted.
Motion lost.

Bills were introduced as follows:

Mr. Pisko introduced H. B. No. 26, "a bill for an act to amend an act entitled an act for the support and better regulation of the public schools of the city of Denver, approved February 13, 1874."

Mr. Marshall introduced H. B. No. 27, "a bill for an act to change the name of Nebraska Holbrook."

Mr. Jaramilla introduced H. J. M. No. 3, "a memorial to the United States in Congress assembled."

Also H. B. No. 28, "a bill for an act entitled an act to authorize the County Commissioners to grant license to physicians and to grade their fees."

Also H. B. No. 29, "a bill for an act entitled an act to authorize County Commissioners to regulate the rates of grist mills within and for said counties of Las Animas and Huerfano."

Mr Yonley introduced H. B. No. 30, "a bill for an act to amend an act entitled an act concerning school bonds, approved January 29, 1872."

Mr. Peyton introduced H. B. No. 31, "a bill for an act in relation to the adopted child of A. H. Jarvis and wife."

Also H. B. No. 32, "a bill for an act in relation to the adopted child of David Heinberger."

Also H. B No. 33, "a bill for an act for the relief of George H. Adams."

Mr. Mills introduced H. B. No. 34, "a bill for an act to amend an act relating to fees in Arapahoe county."

Also H. B. No. 35, "a bill for act amending the Revised Statutes of Colorado, concerning discounts," etc.

Also H. B. No. 36, "a bill for an act concerning indigent defendants in criminal cases."

H. B's No's 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, and H. J. M. No. 3, were read the first time.

Mr. Peyton moved the rules be suspended, and H. B's No's 31 and 32 be read second time by title, and referred to the Committee on Military Affairs.

Motion carried, and H. B's No's 31 and 32 were read second time by title, and referred to Committee on Military Affairs.

Under suspension of the rules, on motion of Mr. Jaramilla, H. J. M. No. 3 was read the second time by title, and referred to the Committee on Federal Relations.

Under suspension of the rules, on motion of Mr. Marshall, H. B No. 27 was read second time by title, and referred to the Committee on Military Affairs.

Mr. Peyton moved the rules be suspended, and H. B. No. 34 read the second time by title, and referred to the Judiciary Committee.

Motion carried.

Mr. Peyton moved the vote be rescinded.

Carried.

Mr. Peyton moved the rules be suspended, and H. B. No. 33 be read second time by title, and referred to the Judiciary Committee.

Motion carried.

H. B. No. 33 was read second time by title, and referred to Judiciary Committee.

H. B's No's 26, 28, 29, 30, 34, 35 and 36, were referred to the Committee on Printing.

C. B. No. 11 was read the second time.

On motion of Mr. Sheldon, referred to the Judiciary Committee.

C. B. No. 20 was read the second time.

Mr. Peyton moved the rules be suspended, and the bill be read third time and put upon its final passage.

Carried.

C. B. No. 20 read third time, and passed by the following vote:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

Absent—Messrs. Duhme, McShane and Rand.

H. B. No. 21 was read the second time.

On motion of Mr. Nimerick, referred to the Committee on Judiciary.

H. B. No. 22 was read the second time.

On motion of Mr. Marshall, referred to the Committee on Judiciary.

H. B. No. 24 was read second time.

On motion of Mr. Peyton, referred to the Committee on Finance.

H. B. No. 25 was read second time.

On motion of Mr. McNutt, referred to the Committee on Irrigation.

The report of the Judiciary Committee on H. B. No. 13 was considered.

On motion of Mr. Meldrum, the bill was referred to the Committee on Engrossment.

The report of the Judiciary Committee on H. B's No's 3 and 4, was taken up.

On motion of Mr. Pisko, the report was adopted, and the bills referred to the Committee on Finance.

The report of the Committee on Military Affairs on H. B. No. 23, was considered.

On motion of Mr. Peyton, the bill was referred to the Committee on Engrossment.

Mr. Sheldon presented a statement from ex-Warden Prosser, of the disbursements of the Penitentiary, which was read, and on motion of Mr. Sheldon referred to the Committee on Territorial Prisons.

Mr. Mills offered the following resolution:

Be it resolved by the House, the Council concurring, That the Joint Rules of the Council and House of Representatives, as

printed in the pamphlet of Rules, be and the same are hereby adopted.

On motion of Mr. Marshall, adopted.

Mr. Pisko moved the House adjourn.

Carried, and the House adjourned until to-morrow at 10 o'clock a. m.

TWELFTH DAY.

TUESDAY, January 18, 1876, 10 o'clock a. m.

House met pursuant to adjournment.

Speaker in the chair.

The House was called to order.

Mr. Mills stated that the Rev. Dr. Lynd was present, and moved he be invited to open the session of the House with prayer.

Mr. Pisko rose to a point of order, stating that the matter embraced in the motion offered by his colleague had been indefinitely postponed.

The chair decided that the point of order was not well taken.

The chair now declared the motion of Mr. Mills out of order, except under suspension of the rules, and Mr. Mills moved the rules be suspended and the Rev. Dr. Lynd be invited to open the session with prayer.

The ayes and noes were called for.

The vote stood as follows:

Ayes—Messrs. Apadaca, Everitt, Gurule, Larned, Mills, Marshall, Nimerick, Sanchez, Yonley, and Mr. Speaker—10.

Noes—Messrs. Bingham, Duhme, Jaramilla, Kruse, Meldrum, McNutt, Pisko, Peyton, Rettberg, Sheldon and Trippe —11.

So the motion was lost.

Roll called.

Absent—Messrs. McShane, Rand and Smith.

Quorum present.

On motion of Mr. Pisko, Mr. Smith was excused from further attendance for one week.

Journal read and approved.

The clerk was instructed to report Messrs. McShane and Rand excused.

Mr. Meldrum presented a petition from the County Commissioners of Larimer county, asking the repeal of an act approved February 13, 1874, entitled "an act relating to fees and salaries in Weld and Larimer counties;" that is to say, so far as the same applies to Larimer county.

Read, and on motion referred to the Committee on Finance.

Mr. McNutt submitted the following report:

MR. SPEAKER:—Your Committee on Mines and Mining, to whom was referred H. B. No. 18, desire to report the same back with the recommendation that it be referred to the Committee of the Whole.

Respectfully,

R. J. McNUTT,
Chairman.

Report received.

Mr. Pisko submitted the following:

DENVER, Colorado, January 18, 1876.

MR. SPEAKER:—Your Committee on Engrossment, to whom was referred House Bills No's 13 and 23, beg leave to report that they have examined them and find them correctly engrossed.

Respectfully submitted,

EDWARD PISKO,
Chairman.

Report received.

The following message was received from the Council:

DENVER, January 17, 1876.

To the Speaker of the House:

SIR:—I am instructed to inform your Honorable Body, that the Council has passed the following:

Resolved, by the Council, the House of Representatives concurring, That no new bills for the changing of names be considered after January 17, 1876, during this session.

Also that the Council has passed the bills herewith transmitted. C. B. No. 24, for an act to amend an act concerning school bonds; C. B. No. 25, for an act in regard to an adopted child of J. J. Minor; C. B. No. 35 for an act to change the name of John Stansbury to John Holt Rice. The concurrence of the House is requested as to the resolution and bills.

Very respectfully, your obedient servant,

JAMES T. SMITH,
Secretary.

Mr. Meldrum submitted the following report:

MR. SPEAKER:—Your committee to whom was referred H. B's No's twenty-seven (27) in regard to changing the name of Nebraska Holbrook, thirty-one (31) regarding the adopted child of A. H. Jarvis and wife, and No. thirty-two (32) relating to the adopted child of David Heimberger, have had the same under consideration, and beg leave to report said bills back to the House, with the recommendation that they do pass.

A. H. MELDRUM,
Chairman.

Report received.

Mr. Larned, of committee, submitted the following:

DENVER, January 18, 1876.

MR. SPEAKER:—The Committee on Printing report back House Bills No. 26, 28, 29, 30, 34, 35 and 36, and are believed to be correctly printed.

WM. LARNED,
Chairman.

Report received.

Mr. Everitt offered the following resolution:

Resolved, That a special committee of three of this House be appointed by the chair, to investigate the statement of the ex-Warden of the Penitentiary, said committee shall be authorized to call for persons and papers.

On motion adopted.

The chair appointed as such committee, Messrs. Everitt, Nimerick and Bingham.

Bills were introduced as follows:

Mr. Everitt introduced H. B. No. 37, "a bill for an act to test artesian wells.

Mr. Yonley introduced H. B. No. 38, "a bill for act for the relief of the Institute for the Education of Deaf Mutes:

Mr. Sheldon introduced H. B. No. 39, "a bill for an act for the reconstruction of the Grand Jury.

Mr. Sheldon also introduced H. B. No. 40, "a bill for an act to change the name of Keziah Wildeboor of Pueblo, Pueblo county, Colorado Territory.

The Council coucurrent resolution relating to the appointment of joint committee to consult with committee from the Constitutional Convention, was taken up, and on motion of Mr. Mills the resolution was concurred in.

The chair appointed Messrs. Mills, Larned and Yonley, as committee.

C. B. No. 37 was read second time, and referred to Committee of the Whole.

H. B. No 26 was read the second time, and on motion of Mr. Pisko, referred to the Committee on Education.

H. B. No. 28 was read the second time, and on motion of Mr. Jaramilla it was so amended as to extend only to Huerfano and Las Animas counties, and referred to the Committee of the Whole.

H. B. No. 29 read second time, and on motion of Mr. McNutt, it was referred to the Committe on Territorial Library.

H. B. No. 30 read second time, and on motion of Mr. Yonley, referred to the Committee of the Whole.

H. B. No. 34 read the second time, and on motion of Mr. Mills, referred to the Judiciary Committee.

H. B. No. 35 read the second time, and referred to the Committee of the Whole.

H. B. No. 36 read the second time, and referred to the Committee of the Whole.

On motion of Mr. Marshall, the report of the Committee on Centennial on H. B. No. 6, was adopted, and the bill referred to the Committe of the Whole.

The report of the Committee on Mines and Mining on H. B. No 18 was considered, and on motion of Mr. Mills adopted, and the bill referred to the Committee of the Whole.

The report of the Committee on Military Affairs on H. Bs. Nos. 27, 31 and 32, was considered.

Mr. McNutt moved the rules be suspended, the bills considered engrossed, and put upon their final passage.

Motion carried.

H. B. No. 27 was taken up and read third time, and put upon it final passage.

The vote resulted as follows:

Ayes—Messrs. Apacada, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So passed, the title agreed to.

H. B No. 31 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs Apacada, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So passed, title agreed to.

H. B. No. 32 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So passed, title agreed to.

C. B. No. 29 was read third time, and on motion it was put upon its final passage.

The vote resulted as follows

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Peyton, Rettberg, Sheldon, Sanchez, Trippe. Yonley, and Mr. Speaker—21.

Noes—Mr. Patterson.

So passed, title agreed to

H.. B. No. 13 was read the third time, and on motion of Mr. Meldrum, it was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt,

Nimerick, Pisko, Patterson, Peyton, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So passed, title agreed to.

H. B. No. 23 was read the third time.

On motion of Mr. McNutt, the bill was put upon its final passage.

The vote was as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So passed, title agreed to.

Mr. Mills moved the rules be suspended to permit Mr. Sheldon to introduce a communication.

Carried.

So Mr Sheldon presented a statement from Messrs. Londoner & Bro's, relative to their bill against the Territorial prison.

Referred to the Special Committee on Penitentiary.

On motion of Mr. Mills, the House adjourned until 2 o'clock p. m

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AFTERNOON SESSION—2 o'clock.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Mr. Duhme.

Quorum present.

Mr. Duhme appeared and took his seat.

Mr. Mills moved the House go into Committee of the Whole on General Order of the Day.

Carried.

Mr. Mills was called to the chair.

After a time the committee arose, and submitted the following report:

MR. SPEAKER:—The Committee of the Whole have had under consideration the following bills: H. B. No. 30, and refer it back to the House with the recommendation that it do

pass; also H. B. No. 28, and recommend it be amended as follows: In sec. 1 strike out the word "Territory" and insert in lieu thereof the words "counties of Las Animas and Huerfano;" in sec. 2, amend by striking out the words "each county" and insert in lieu thereof the words "Las Animas and Huerfano counties," and change the word "county" at the end of sec. 2 to "counties," and add the word "respectively," and to sec. 3 add the following: "Provided that no physician, being a graduate of any regular medical college and having a diploma as such, shall be required to obtain a license from said county commissioners," and that as amended the bill be passed; also C. B. No. 37, and refer the same back to the House with the recommendation that it do pass; also H. B. No. 35, and report the same back to the House with the recommendation that it do pass; also H. B. No. 36, and report the same back to the House with the recommendation that it do pass; also H. B. No. 6, and report the same back to the House without recommendation; also H. B. No. 18, and report the same back to the House with the recommendation that it do pass.

WM. B. MILLS,
Chairman.

On motion of Mr. McNutt the report was received and adopted.

Mr. McNutt submitted the following report:

MR. SPEAKER:—Your Committee on Mines and Mining, to whom was referred H. B. No. 19, beg leave to report the same back with the recommendation that sec. 1 be considered by the Committee of the Whole, and that sec. 2 be stricken out.

Yours respectfully,

R. J. McNUTT,
Chairman.

On motion of Mr. Pisko, the report was adopted.

On motion of Mr. Mills, the House adjourned until to-morrow at 10 o'clock a. m.

THIRTEENTH DAY.

WEDNESDAY, January 19, 1876, 10 o'clock, a. m.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Absent—Mr. Mills.
Quorum present.
Journal read and approved.

A petition was presented by Joseph Johnson, asking his name be changed.

On motion of Mr. Bingham, referred to the Committee on Rules and Joint Rules.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 18, 1876.

To the Honorable Speaker of the House.

SIR:—I am instructed to inform your Honorable Body that the Council has passed House Bills numbered 15, 23, 27, 31, and 32, herewith returned.

Also Council Bill No. 17, "for an act relating to the appointment of a clerk for the Probate Court of Arapahoe County."

Also Council Bill No. 30, "for an act in regard to ditch and canal companies uniting under one management, and that the Council has concurred in House Resolution concerning joint rules."

The concurrence of the House in the passage of Council Bills numbered 17 and 30, is requested.

Very respectfully, your obedient servant,

JAMES T. SMITH,
Secretary.

Mr. Sheldon, of committee, submitted the following reports:

MR. SPEAKER:—Your Committee on Finance Ways and Means, to whom was referred H. B. No. 4, having had the same under consideration, beg leave to offer the following sub-

stitute, and to recommend that the same be referred to the Committee of the Whole.

Respectfully submitted,

A. Z. SHELDON, Chairman,
EDWARD PISKO,
WILLIAM LARNED,
HERMAN DUHME, JR.

Report received.

MR. SPEAKER:—Your Committee on Finance, Ways and Means, to whom was referred H. B. No. 3, having considered the same, beg leave to offer the following substitute, and to recommend that it be referred to the Committee of the Whole.

Respectfully submitted,

A. Z. SHELDON, Chairman,
EDWARD PISKO,
WILLIAM LARNED,
HERMAN DUHME, JR.

Received.

MR. SPEAKER:—Your Committee on Finance, Ways, and Means, to whom was referred that portion of the Governor's message having reference to the cancellation of unavoidable delinquent taxes in the Territory of Colorado, have had the same under consideration, and beg leave to offer the accompanying bill.

Respectfully submitted,

A. Z. SHELDON, Chairman,
EDWARD PISKO,
WILLIAM LARNED,
HERMAN DUHME JR.

Report received.

Mr. Mills submitted the following report:

MR. SPEAKER:—The Committee on Judiciary beg leave to report back H. B No. 22, "an act concerning the Probate Court of Lake county," and recommend its passage.

Also H. B. No. 33, with a recommendation that it be considered in Committee of the Whole.

Also H. B. No. 21, with a recommendation that it be passed with the two last sections stricken out.

Also Council Bill No. 11, "to amend sec. 18, chap. 35, Revised Statutes," with recommendation that the House concur in its passage.

W. B. MILLS,
Chairman.

Reports received.

Mr. Pisko submitted the following report:

DENVER January 18, 1876.

MR. SPEAKER:—Your Committee on Education, to whom H. B. No. 26 was referred, beg leave to report that they have had the same under consideration Your committee report the same back to the House, recommending its passage.

Respectfully submitted,
EDWARD PISKO, Chairman,
A. Z. SHELDON,
FRANK BINGHAM,
Committee.

Report received.

Mr. Nimerick submitted the following report:

MR. SPEAKER:—Your committee to whom was referred H. B. No. 29, have had the same under consideration, and would recommend the following amendments: That the words "each county," in the first line, be stricken out, the words, "Las Animas and Huerfano counties" be inserted in lieu thereof; and that the words, "Colorado Territory," in the first line of sec. 2, be stricken out, and the words "Las Animas and Huerfano counties" be inserted in lieu thereof, and that the word "county" in the second line of sec. 2 be changed to "counties." With these amendments your committee recommend the passage of said bill.

J. M. NIMERICK,
Chairman.

Report received.

Mr. Larned, of committee, submitted the following:

MR. SPEAKER:—The Committee on Printing report back House Bills No's 37, 38, and 40, and they are believed to be correctly printed.

WM. LARNED,
Chairman.

Report received.

Mr. Kruse introduced H. B. No. 41, "a bill for an act to provide for a uniformity of text books in the public schools of Colorado."

Read first time.

Referred to the Committee on Printing.

Mr. McNutt moved the rules be suspended, and he be allowed to introduce a bill.

Motion carried.

Mr. McNutt introduced H. B. No. 42, "a bill for an act to change the name of Joseph Johnson to Joseph Kavanaugh."

Read first time, and referred to the Committee on Printing.

Under suspension of the rules, Mr. Pisko introduced H. B. No. 43, "a bill for an act amendatory to sec. sixty-four (64), of an act to provide for the assessment and collection of revenue, approved February 11, 1870."

Read first time, and referred to Committee on Printing.

Council Concurrent Resolution providing no new bills for changing names, etc., after January 17, shall be considered, was taken up.

Mr. McNutt moved the resolution be amended by striking out "January 17," and inserting "January 19," and as so amended the House concurr in.

Mr. Trippe moved to further amend by making resolution read, instead of "January 19," "February 5."

Lost.

The question being, on motion offered by Mr. McNutt, was carried.

C. B. No. 24 was read second time, and referred to the Committee of the Whole.

C. B. No. 25 was read second time.

Mr. McNutt moved the rules be suspended, the bill read a third time, and put upon its final passage.

Motion withdrawn, and bill referred to the Committee of the Whole.

C. B. No. 35 was read second time.

On motion of Mr. McNutt the rules were suspended, and C. B. No. 35 read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apádaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

The report of the Committee on Finance, Ways and Means, on H. B.'s No.'s 3 and 4, was considered.

On motion of Mr. Pisko the report was adopted, and bill referred to Committee of the Whole.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 19, 1876.

To the Honorable Speaker of the House:

SIR: I am instructed to inform your Honorable Body that the Council has concurred in House amendment to Council resolution concerning change of names.

Very respectfully, your obedient servant,
JAMES T. SMITH,
Secretary.

The report of the Committee on Finance on that portion of the Governor's message relating to unavailable taxes was considered.

On motion of Mr. Pisko the rules were suspended, and the bill reported by the committee was read the first and second times, and referred to the Committee on Counties and County Lines.

The report of the Judiciary Committee on H. B. No.'s 21, 22, and 33, and C. B. No. 11, was considered.

On motion of Mr. Mills the report was adopted.

The report of the Committee on Education, on H. B. No. 26, was considered.

On motion of Mr. Pisko, the report was adopted.

The report of Committee on Territorial Library, on H. B. No. 29, was considered.

On motion of Mr. Bingham, the report was adopted.

C. B. No. 11 was read third time

On motion of Mr. Marshall, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—20.

Noes—None.

So the bill passed, title agreed to.

C. B. No. 37 was read third time, and on motion, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 6 was read the third time.

Mr. McNutt moved that further action on the bill be postponed for ten days.

Mr. Pisko moved to amend, by making it the special order for Saturday next, in the afternoon.

Amendment accepted, and motion, as amended, carried.

The House having now arrived at General Orders of the Day, went into Committee of the Whole.

Mr. Marshall in the Chair.

After a time the committee arose, and submitted the following report:

To the Hon. Speaker of the House:

The Committee of the Whole, to whom was referred H. B. No. 19, have made some progress, and ask leave to sit again.

J. Y. MARSHALL,
Chairman.

On motion of Mr. Pisko, the report was adopted, and leave granted.

On motion of Mr. Trippe, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Absent—Messrs. Mills and Sheldon.
Quorum present.
The House being still in the order of General Orders of the Day, went into Committee of the Whole, with Mr. Marshall in the chair.
During the session of the committee, Messrs Mills and Sheldon appeared, and took their seats.
The committee arose, and submitted the following report:

MR. SPEAKER:—The Committee of the Whole have had under consideration H. B. No. 19, and recommend it be amended as follows: In line 3 of sec. 1 of printed copy, strike out the letter "s" in the word "rights," and, as so amended, recommend the bill do pass; also S. H. B. No. 3, and report the same back to the House, with the recommendation that it do pass; also S. H. B. No. 4, and report the same back to the House, and recommend it do pass; also C. B. No. 24, and recommend it be amended by striking out sec. 2, and, as so amended, it do pass; also C. B. No. 25, and recommend it be amended by adding to sec. 2 the following: "Provided that the said James J. Minor and Ruth Minor shall, on or before the 1st day of May, A. D. 1876, execute and duly acknowledge, before some officer authorized to take acknowledgments, and file in the office of the Probate Court of Fremont county, their assent in writing to the provisions of this act, that then this act shall take effect from and after the filing of such assent"; also strike out sec. 3, and, as so amended, that the bill do pass; also H. B. No. 33, and report the same back to the House, and recommend it do pass.

JAMES Y. MARSHALL,
Chairman.

On motion of Mr. Pisko the report was adopted.

Mr. McNutt moved that S. H. B's Nos. 3 and 4 be referred to the Committee on Printing.
Mr. Sheldon moved to amend by saying the House order said bills printed
Amendment accepted.

State Historical and
Natural History Society.
DENVER, COLORADO.

Motion, as amended, carried, and so ordered.

On motion of Mr. Sheldon, H B.'s No.'s 37, 38, 39, and 40, were taken up.

H. B. No. 37 was read the second time.

On motion of Mr. Mills, referred to the Committee on Irrigation.

H. B. No. 38 was read second time.

On motion of Mr. Yonley, referred to the Committee on Education.

H. B. No. 39 was read second time.

Mr. McNutt moved it be referred to the Committee on Judiciary.

Mr. Marshall moved it be laid on the table.

Motion carried, and the bill was laid upon the table.

H. B. No. 40 read second time.

Mr. Peyton moved the rules be suspended, the bill read a third time by title, and put upon its final passage.

Motion carried.

H. B. No. 40 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So passed, title agreed to.

Mr. Marshall moved the vote by which H. B. No. 40 was passed, be reconsidered.

Motion carried.

On motion, the bill was now amended, as follows: After the word "shall," in the first line, add the words, "be changed"; in line two, strike out the words "hereafter be entitled," and after the words "that name," add the word "she"; and after the word "shall," add the word "hereafter."

On motion the bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

The Speaker appointed Messrs. Bingham and Nimerick as

the House members of the Joint Committee on Enrollment.

On motion of Mr. Sheldon, the House adjourned.

FOURTEENTH DAY.

THURSDAY, January 20, 1876, 10 o'clock a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Mills and Sheldon.

Quorum present.

Journal read and approved.

During the reading of the journal, Messrs. Mills and Sheldon appeared and took their seats.

Mr. Kruse presented a petition from the Mayor and Council of Central City, asking the passage of a bill to be presented by their member.

Read, and on motion of Mr. McNutt, referred to the Committee on Elections and Apportionments.

Mr. Pisko, of committee, submitted the following report:

MR. SPEAKER.—Your Committee on Engrossment, to whom was referred the following bills to wit: Substitute for House Bills No's 3 and 4, and H. B's No's 18, 19, 21, 22, 26, 29, 30, 33, 34, 36, and amendments to Council Bills No's 24 and 25, beg leave to report that they have examined the same and find them correctly engrossed.

Respectfully submitted,

EDWARD PISKO,
Chairman.

Report received.

Mr. Sheldon submitted the following report:

MR. SPEAKER:—Your Committee on Finance, Ways and Means, to whom House Bill No. 17 was referred, have had the same under consideration, and beg leave to report the an-

nexed substitute bill for said House Bill No. 17, recommending its passage.

Respectfully submitted,
A. Z. SHELDON, Chairman,
EDWARD PISKO,
GEO. RAND,
HERMAN DUHME, Jr.

Report received.

Mr. Trippe submitted the following report:

MR. SPEAKER:—Your Committee on Federal Relations, to whom was referred H. J. M. No 3, have had the same under consideration, and would respectfully recommend the adoption of a substitute which is herewith presented.

T. M. TRIPPE,
Chairman of Committee on Federal Relations.

Mr. Everitt, of committee, reported as follows:

MR. SPEAKER:—Your Committee on Roads and Bridges, to whom was referred House Bill No. 14, have had the same under consideration, and would respectfully recommend adoption of a substitute bill, which is herewith presented.

M. N. EVERITT, Chairman,
T. M. TRIPPE,
F. SANCHEZ,
M. APADACA,
M. H. MELDRUM.

Report received.

Mr. Duhme submitted the following report:

To the Honorable Speaker of the House of Representatives:

Your Committee on Rules and Joint Rules, to whom was referred the petition of Joseph Johnson in regard to the change of name, would report that they have had the same under consideration, and refer it back to the House without recommendation.

HERMAN DUHME, JR.,
Chairman.

Report received.

Mr. Larned submitted the following report:

MR. SPEAKER:—The Committee on Printing, report back House Bills No. 3, 4, 41, 42 and 43, and they are believed to be correctly printed.

WM. LARNED,
Chairman.

Report received.

Mr. Yonley submitted the following report:

MR. SPEAKER:—Your committee to whom House Bill No. 5 and substitute was referred, have had the same under consideration, and report the same back with the recommendation that the substitute bill be amended by inserting therein, the following words: Section 1, that section fifty-two (52) of chapter 18 of the Revised Statutes of Colorado be amended by inserting after the word "them" in the fifteenth line of section fifty-two (52) the following words: "but for not less than seventy-five per cent. of their par value," and that the sections as they now stand in the substitute bill be numbered two and three instead of one and two, as they now stand, and that said substitute bill after being so amended be passed.

J. H. YONLEY,
Chairman.

Report received.

Mr. Kruse, of committee, submitted the following report:

MR. SPEAKER:—We, your Committee on Enrollment, respectfully report that they have examined H. B's No's 15, 23, 27, 31 and 32, and find them correctly enrolled.

FREDERICK KRUSE,
Chairman.

Report received.

Mr. Jaramilla moved the vote by which the report of the Committee of the Whole on H. B. No. 28 was adopted, be reconsidered.

Motion carried.

Mr. Jaramilla now moved the bill be referred to a special committee of three.

Mr. McNutt moved to amend by referring to the Committee on Territorial Library.

Motion carried, and bill so referred.

Bills were introduced as follows:

Mr. Pisko introduced H. B. No. 45, "a bill for an act to amend an act entitled an act to provide for the assessment and collection of revenue;" approved February 11, 1870.

Mr. Kruse introduced H. B. No. 46, "a bill for an act to amend an act entitled an act to incorporate the city of Black Hawk;" approved March 11, 1864.

Mr. Mills introduced H. B. No. 47, "a bill for an act relating to apprentices and servants bound by indenture."

Mr. Peyton introduced H. B. No. 48, "a bill for an act concerning the Probate court of Saguache county."

H. B's No's 45, 46, 47 and 48, read first time, and 45, 46 and 47, referred to Committee on Printing.

On motion of Mr. Peyton, the rules were suspended, and H. B. No. 48 was read second time, and referred to the Judiciary Committee.

Mr. Kruse moved the rules be suspended, and he be allowed to introduce a bill.

Motion carried.

Mr. Kruse introduced H. B. No. 49, "A bill for an act for the relief of the inhabitants of the city of Central."

Read first time and referred to the Committee on Printing.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 20th, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has passed H. J. M. No's 1 and 2, herewith returned; also the following bills, in which the concurrence of the House is requested. C. B. No: 28, for an act to amend section 1, article 9, chapter 84, of the Revised Statutes, entitled "townsites;" C. B. No. 33, for an act to provide terms of court in the 3d Judicial District; C. B. No. 34, for an act to amend an act entitled "an act to provide for the selection of jurors to

serve in the District courts," approved February 13, 1874; C. B No. 36, for an act to amend chapter 50 of the Revised Statutes, in relation to justices and constables; C. B. No. 38, for an act to amend an act entitled "an act regulating the branding, herding and care of stock," approved February 9, 1872; C. B. No. 49, for an act concerning actions on bonds, bills, notes and other instruments of writing; C. B. No. 54, for an act to amend an act entitled "an act concerning fences and enclosures in Conejos county, and in other counties, under certain circumstances," approved February 12, 1874.

Very respectfully,

Your obedient servant,

JAMES T. SMITH,

Secretary.

C. B. No. 17 was read second time.

On motion of Mr. Pisko, referred to the Committee on Judiciary.

C. B. No. 30 was read second time.

On motion of Mr. Mills, referred to Irrigation Committee.

H. B. No. 42 was read second time.

On motion of Mr. McNutt, the rules were suspended, the bill read a third time and out upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Larned, Mills, Meldrum, McNutt, Pisko, Patterson, Peyton, Rettberg, Sheldon, Sanchez, Trippe, and Mr Speaker—17.

Noes—Messrs. Jaramilla, Kruse, Marshall, Nimerick, Rand, and Yonley.—6.

So the bill passed, the title agreed to.

H. B. No. 41 was read second time.

On motion of Mr. Mills referred to Committee on Education.

H. B. No. 43 was read second time.

Referred to the Committee of the Whole.

The report of the Committee on Finance, Ways and Means on H. B. No. 17, was considered.

On motion of Mr. Mills, the substitute reported by the committee was referred to the Committee of the Whole.

On motion of Mr. Pisko, the rules were suspended to allow the Committee on Counties and County Lines to report.

Mr. Peyton, of committee, submitted the following:

To the Honorable Speaker of the House of Representatives:

Your committee, to whom was referred H. B. No. 44, would respectfully report that they have had the same under consideration, and refer it back to the House with a substitute for the same.

I. N. PEYTON,
Chairman.

Report received.

The report of Committee on Federal Relations on H. J. M. No. 3, was considered.

On motion of Mr. Trippe, the substitute offered by the committee was ordered printed.

The report of the Committee on Railroads on H. B. No. 5, was considered.

On motion of Mr. McNutt, the substitute reported by the committee was ordered printed.

The report of the Committee on Rules and Joint Rules on the petition of Mr. Johnson, was considered.

On motion of Mr. McNutt, the petition was laid on the table.

The report of the Committee on Counties and County Lines on H B No. 44, was considered.

On motion of Mr. Pisko, the substitute offered by the committee was referred to the Committee on Printing.

Mr Mills moved the Committee on Printing be instructed to have S. H. B. No. 44 printed.

Motion carried, and so ordered.

Mr. Jaramilla moved the Committee on Printing be instructed to have S. H. J. M. No. 3 printed.

Motion withdrawn.

C. B. No. 24 was read third time, and on motion of Mr. Pisko, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

So the bill passed, title agreed to.

C. B. No. 25 was read the third-time.

On motion of Mr. Pisko, the bill was put upon its final passage, and passed by the following vote·

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

Title agreed to.

On motion of Mr. Pisko, adjourned until 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

S. H. B. No. 3 was read third time.

On motion of Mr. Pisko, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rettberg, Sheldon, Trippe, Yonley—19.

Noes—Messrs. Larned, Mills, Sanchez, and Mr. Speaker—4.

So the bill passed, title agreed to.

S. H. B. No. 4 was read third time.

Mr. McNutt moved the bill be put upon its final passage.

Mr. Marshall moved the bill be laid upon the table.

Motion lost.

Mr. Pisko moved to amend the bill by adding after the word "section" in fifth line of printed copy, the words, "the wards."

Carried, and the bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Gurule, Jaramilla, Kruse, Meldrum, McNutt, Pisko, Patterson, Peyton, Rettberg, Sheldon, Trippe, and Yonley—15.

Noes—Messrs. Everitt, Larned, Mills, Marshall, Nimerick, Rand, Sanchez, and Mr. Speaker—8.

So the bill passed, title agreed to.

H. B. No. 18 was read third time.

On motion of Mr. McNutt, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand. Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 19 was read the first time.

On motion of Mr. Kruse put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe. Yonley, and Mr. Speaker—23.

Noes—None.

So the bill passed.

Mr. Mills moved to amend the title by adding to it the words, "Approved February 13, 1874."

Motion carried.

So amended.

Mr. Marshall moved to further amend by striking out the words and figures "page 187."

Motion lost.

Title as amended agreed to.

H. B. No. 21 was read third time.

Mr. Peyton moved to amend the bill by striking out the word "county," and inserting in lieu thereof the words "Saguache county."

Mr. Kruse moved to further amend so as to include the county of Gilpin within the provisions of the bill.

Amendment accepted.

Mr. Everitt moved to further amend so as to include Jefferson county within the provisions of the bill.

Amendment accepted.

Mr. Rettberg moved to further amend so as to include the county of Pueblo.

Amendment accepted.

Mr. Mills moved to amend by adding after the word "shall" the word "each."

Amendment accepted, and motion so amended carried.

The clerk was instructed to so amend the bill.

On motion the bill was put upon its final passage.

The vote resulted, as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

So the bill passed.

On motion of Mr. Mills the title was so amended as to include the counties of Saguache, Gilpin, Jefferson and Pueblo, and as so amended agreed to.

H. B. No. 22 was read third time.

On motion of Mr. Marshall, laid on the table for the time being.

H. B. No. 26 was read the third time.

On motion of Mr. Kruse, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 29 was read third time.

Mr. Mills moved it be put upon its final passage.

Motion withdrawn.

Mr. Duhme moved the bill be amended by striking out the words "Huerfano county" wherever they occur.

Motion carried.

The clerk was instructed to amend the bill in accordance therewith.

On motion of Mr. Mills, the bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title amended by striking out the word "Huerfano" and making the word "counties" read "county," and as so amended agreed to.

H. B. No. 30 was read third time.

On motion of Mr. Yonley, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule,

Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 33 was read the third time.

On motion of Mr. Peyton, put upon its final passage

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe. Yonley, and Mr. Speaker—20.

Noes—Messrs. Kruse, Larned, and Mills—3.

So the bill passed, title agreed to.

H. B. No. 35 was read the third time.

On motion of Mr. Mills put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 36 was read the third time.

On motion of Mr. Kruse put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand. Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23

Noes—None.

So the bill passed, title agreed to.

The House now went into Committee of the Whole, on General Order of the Day, Mr. Peyton in the chair.

After a time the committee arose, and submitted the following report:

MR. SPEAKER:—The Committee of the Whole have had under consideration the following bills, viz: H. B. No. 43, and report the same back to the House, with the recommendation that it do pass; also S. H. B No. 14, and report the same back to the House with the recommendation that it do pass; also sub. to S. H. B. No. 17, and report the same back to the House

with the recommendation it be referred to the Judiciary Committee

I. N. PEYTON,
Chairman.

On motion of Mr. Pisko, the report was adopted.

A communication was received from Dr. Buckingham, President of the Deaf Mute Institute, inviting the officers and members of the House to attend an exhibition of the students of said institute.

On motion of Mr. Pisko, the invitation was accepted and the thanks of the House tendered.

Mr. Meldrum introduced H. B. No. 50, "a bill for an act relating to fees and salaries in Weld and Larimer counties."

Mr. Rand moved the House adjourn.

Lost.

On motion, Mr. Kruse was excused from further attendance during the afternoon.

On motion of Mr. Mills, the House adjourned.

FIFTEENTH DAY.

FRIDAY, January 26, 1876, 10 o'clock a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Peyton and Sheldon.

Quorum present.

Journal read and approved.

During the reading of the Journal, Messrs. Peyton and Sheldon appeared, and took their seats.

Mr. Marshall presented a petition from the County Commissioners of Fremont county, asking the passage of a bill allowing said Commissioners to levy a tax for the purpose of erecting county buildings.

On motion of Mr. Marshall, the petition was referred to the Committee on Counties and County Lines.

Mr. Rand, of committee, submitted the following report:

MR. SPEAKER:—Your Committee on Irrigation, to whom was referred C. B. No. 30, and H. B.'s No.'s 37 and 25, have

had the same under consideration, and would respectfully make the following report: Recommend the passage of C. B. No. 30; recommend that H. B. No. 37 do not pass; recommend that sec. No. 2 be added to H. B. No. 25, to read as follows: "Sec. 2. Every owner, lessee, or manager of such flowing spring or well, shall keep a record of all receipts from the products of such flowing spring or well, and such record shall be open to the inspection of the County Assessor, for the purpose of making assessments in each year," and also recommend the passage of the bill with this amendment.

All of which is respectfully submitted,
GEORGE RAND,
Chairman of Committee on Irrigation.

Report received.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 20, 1876.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council have passed C. B. No. 27, "for an act to repeal certain acts concerning the prosecution of crimes and misdemeanors not capital or infamous."

Very respectfully, your obedient servant,
JAMES T. SMITH,
Secretary.

The Committee on Printing submitted the following report:

MR. SPEAKER: The Committee on Printing report back Substitute H. B. No. 5, Substitute H. B. No. 44, and H. B.'s No.'s 45, 46, 47, and 49, and the same are believed to be correctly printed.

WM. LARNED,
Chairman.

MR. SPEAKER:—The Committee on Printing report back H. J. M. No. 3, and S. H. J. M. No. 3, and they are believed to be correctly printed.

WM. LARNED,
Chairman.

Report received.

Mr. Pisko submitted the following report:

MR. SPEAKER:—Your Committee on Engrossment, to whom was referred House Bills No's 14 and 43, beg leave to report that they have examined them and find them correctly engrossed.

Respectfully submitted,

EDWARD PISKO,
Chairman.

Report received.

Mr. Everitt, of Special Committee, submitted the following report:

REPORT OF SPECIAL COMMITTEE.

To the Honorable the House of Representatives of the Legislative Assembly of the Territory of Colorado:

Your Special Committee appointed to investigate the statement of the ex-Warden of the Penitentiary, report as follows:

That we have fully investigated the matter submitted to us, and find, on examination, that from January 1 to March 14, 1874, the Penitentiary was under the management and control of the U. S. Marshal, as per contract of January 1, 1871; that during which time the Auditor drew warrants on the Penitentiary Fund in favor of the U. S. Marshal for the maintenance of Territorial prisoners to the amount of $2,859. We find, further, that the Board of Managers of the Penitentiary were paid during the years 1874 and 1875, out of the Penitentiary Fund, on their salaries, $2,534.99, making a total of $5,393.99, for which the Auditor has proper vouchers on file in his office, and which constitutes a part of his Bi-ennial report to the Legislature. No part of this amount appears in the statement of the ex-Warden, and fully accounts for the amount claimed by the ex-Warden as the deficit of the $30,611. Your committee are of the opinion that these sums were properly disbursed by the Territorial Auditor, and that in his entire connection with the Penitentiary Fund he has carefully guarded the public interest. We would further state, in this connection, that these facts were all within the knowledge of the ex-Warden at the time he made his statement to this House, and

should have constituted a part of said statement, as their suppression left the unjust inference that this amount had been improperly disbursed by the Territorial Auditor.

In regard to the claim of the Territory against the United States, referred to in the statement under consideration, your committee are informed by the U. S Marshal that said claim was placed in his hands by the ex Warden, with instructions not to let the Auditor or Treasurer know anything about it, and it is our unanimous opinion that had this claim been placed in the hands of the proper officer for collection, it would have long since been paid and placed in the Territorial Treasury, where it could have been applied in payment of the outstanding claims against the Penitentiary.

Your committee find no evidence to support the statement of the ex-Warden that the Auditor "persistently refused to honor any voucher he drew on him for supplies, which compelled him to purchase all necessary supplies on three months' time." On the other hand this statement is positively denied by the Territorial Auditor, who asserts that there is not a single instance where he did not at the time draw his warrant in favor of the party presenting his claim, against the Penitentiary, where the same was properly certified and approved as correct by the Warden and Board of Managers. The Auditor further asserts that he advised the purchase of supplies, under sealed proposals, sufficient to supply the Penitentiary, for three or six months at a time; that purchases be made just prior to the quarterly meeting of the Board of Managers, so that they would be enabled to examine the bills and see that the goods purchased corresponded therewith, but that the Warden, on the contrary, made his purchases at the beginning of the quarter after the meeting of the Board, thus leaving little but the bills for the Board to examine. This statement of the Auditor is fully corroborated by two of the Board of Managers, Hon. J. T. Boyd and Hon. B. F. Eaton.

M. N. EVERETT, Chairman,
J. M. NIMERICK,
FRANK BINGHAM,

From the facts before them, your committee are satisfied that further restrictions and safeguards should be thrown around the expenditure of the Penitentiary Fund by the Warden of the Penitentiary in the matter of buying supplies

and accounting therefor, and would recommend that the law be amended in this particular.

M. N. EVERETT, Chairman.
J. M. NIMERICK,
FRANK BINGHAM.

Mr. Mills moved the report be printed, and made the special order for to-morrow.

The motion was so amended as to refer the report for consideration to the Committee of the Whole.

Motion, as amended, carried, and the report was placed on file for consideration in Committee of the Whole.

Bills were introduced as follows:

Mr. Patterson introduced H. B. No. 51, "a bill for an act for an appropriation to the University of Colorado."

Mr. Mills introduced H. B No 52, "a bill for an act in regard to physicians."

Mr. Marshall introduced H. B. No. 53, "a bill for an act to authorize the County Commissioners of Fremont County to levy a special tax."

H. B.'s No. 51, 52, and 53, were read first time, and referred to the Committee on Printing.

C. B.'s No.'s 28, 34, 36, and 49, were read second time, and referred to the Committee of the Whole.

C. B. No. 33 was read second time.

On motion of Mr. Patterson, referred to the Judiciary Committee.

C. B. No. 38 was read second time.

On motion of Mr. Patterson, referred to Stock Committee.

C. B. No. 54 was read second time.

Mr. Pisko moved it be referred to the Committee on Counties and County Lines.

Mr. Peyton moved to amend by saying Committee on Indian Affairs.

Amendment accepted.

Mr. Jaramilla moved to further amend by referring to Committee of the Whole.

Amendment lost.

Question now being on original motion, as amended, carried, and bill referred to the Committee on Indian Affairs.

S. H. J. M. No. 3, and S. H. B. No. 5, were read second time, and referred to Committee of the Whole.

H B. No 45 was read second time.

On motion of Mr. Pisko referred to Finance Committee.

H. B. No 46 was read second time.

On motion of Mr. McShane, referred to Committee on Incorporation.

H. B. No. 47 was read second time.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 21, 1876.

To the Honorable Speaker of the House:

SIR: I am instructed to inform your Honorable Body that the Council has passed C. B. No. 38, "for an act in regard to District Attorneys." The concurrence of the House is requested.

Very respectfully, your obedient servant,
JAMES T. SMITH,
Secretary.

Mr. Mills moved the rules be suspended, and that C. B. No. 58 be read second and third times, and put upon its final passage.

Motion carried.

C. B. No. 58 was read second time.

C. B. No. 58 was read third time, and put upon its final passage

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Mills, Meldrum, McShane, Marshall, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, and Mr. Speaker—20.

Noes—None.

So the bill passed, title agreed to.

Mr Patterson moved H. B. No. 47 be referred to the Committee on Finanee.

Lost.

Mr. Rand moved the bill be referred to the Judiciary Committee.

Mr. Patterson moved to amend, by referring to Committee of the Whole.

Amendment carried, bill so referred.

H. B. No. 49 was read second time.

Mr. McShane moved the rules be suspended, the bill be read a third time, and put upon its final passage.

Carried.

Under suspension of the rules, Mr. Pisko moved the bill be read third time by title.

Carried.

So. H. B. No. 49 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadeca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Mills, Meldrum, McShane, Marshall, Pisko. Peyton, Rand; Rettberg, Sheldon, Sanchez, Trippe, and Mr. Speaker—19.

No—Mr. Patterson—1.

So the bill passed, title agreed to.

On motion of Mr. Pisko, adjourned till 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Apadaca and Mills.

Quorum present.

The report of the Committee on Irrigation on C. B. No. 30, H. B. No. 37, and H. B. No. 25, was considered.

On motion of Mr. Peyton, report adopted, and C. B. No. 30, and H. B. No. 37, placed on file for third reading, and H. B. No. 25 was ordered engrossed.

S. H. B. No. 14 was read third time.

On motion of Mr. Sheldon, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Mills, Meldrum, McShane, Marshall, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, and Mr. Speaker—20.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 43 was read third time.

On motion of Mr. Pisko, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Mills, Meldrum, MeShane, Marshall, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, and Mr. Speaker—20.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 37 was read third time.

Mr. Everitt moved it be put upon its final passage.

Mr. Pisko moved the bill be laid upon the table.

Motion carried, and the bill laid on the table.

Having arrived at General Orders of the Day, the House went into Committee of the Whole.

Mr. Sheldon in the chair.

During the session of the committee, Messrs Trippe, Pisko, and Patterson were excused from further attendance during the day.

The committee arose, and made the following report:

MR. SPEAKER: The Committee of the Whole have had under consideration the following bills, viz.: C. B. No. 28, and report the same back to the House with the recommendation that it do pass; also C. B. No. 34, and report the same back, and recommend it be amended by striking out "sec. 2," and as so amended it do pass; also C. B. No. 36, and recommend it be amended by striking out the word "section," and the figure "2," and as so amended recommend it do pass; C. B. No. 49, and report the same back to the House without recommendation; also S. H. J. M. No. 3, and recommend it be amended by striking out the word "fit," in the last line of the printed copy, and insert the word "effectual" in lieu thereof, and as so amended it do pass; also Sub. H. B. No. 5, and report the same back to the House, and recommend it be made the Special Order of the Day for Tuesday next, in the afternoon; also S. H. B. No. 44, and report the same back to the House, and recommend it be referred to the Judiciary Committee. The committee have other bills for consideration, and ask leave to sit again.

Respectfully submitted,
A. Z. SHELDON,
Chairman.

On motion of Mr. Peyton, the report was adopted.

On motion of Mr. Mills, the hall of the House was tendered to Mr. Alderman, to lecture in, Tuesday evening next.

On motion of Mr. Peyton, the House adjourned.

SIXTEENTH DAY.

SATURDAY, January 22, 1876, 10 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Gurule, Mills, and McNutt.

Quorum present.

On motion of Mr. Trippe, Mr. McNutt was excused.

On motion of Mr. Pisko, Mr. Mills was excused.

Journal read and approved.

Mr. Bingham, of committee, submitted the following report:

MR. SPEAKER:—The Joint Committee on Enrollment, to whom were referred House Bills No's 15, 23, 27, 31, 32, and Council Bills No's 5, 11, 20, 24, 25, 29, 35, 37, and 58, have had the same under examination, and report them correctly enrolled.

FRANK BINGHAM,
Chairman House Joint Committee.

Report received.

Mr. Pisko, of committee, submitted the following report:

MR. SPEAKER:—Your Committee on Engrossment, to whom were referred House Joint Memorial No. 3, House Bill No. 25, and Council Bills No's 24 and 36, beg leave to report that they have examined the same, and find them correctly engrossed as amended.

Respectfully submitted,

EDWARD PISKO,
Chairman.

Report received.

Mr. Peyton, of committee submitted the following report:

To the Honorable Speaker of the House of Representatives of Colorado:

Your Committee on Enrollment would respectfully report back House Joint Memorials No's 1 and 2, correctly enrolled.

I. N. PEYTON,
HERMAN DUHME, JR.

Mr. Larned, of committee, submitted the following report

MR. SPEAKER:—The Committee on Printing report back "Reports of Special Committees" and House Bills No's 50, 51, and 53, and they are believed to be correctly printed.

W. LARNED,
Chairman.

Report received.

Mr. McShane, of committee, submitted the following report:

To the Council and House of Representatives of the Territory of Colorado, in Legislature assembled:

Your committee appointed under Council Resolution to examine the Penitentiary at Cañon City, beg leave to inform your Honorable Bodies that they have discharged the duties imposed upon them, and do submit for your consideration, the following report, which embodies the result of their observations, and such suggestions as they deemed pertinent in the premises.

Immediately on our arrival at Cañon City, on the 18th day of January, A. D. 1876, we visited the Penitentiary, where we met B. F. Allen, Esq., the Warden, and explained to him the object of our visit. This gentleman expressed his willingness to show us through the premises. We found in the prison yard about twenty (20) of the convicts engaged in cutting stone and excavating for a cess-pool. On entering the cook-room, we found some four or five engaged in cooking, and appeared to be preparing dinner for the balance of the inmates. After passing through the cook-room we came to a large iron door, which was the entrance to the prison. The guard obeyed the order of the Warden, unlocked the door, swung it back sufficient to let us pass, and gave us a look which meant go in as soon as possible. Your committee went in rather reluctantly, and the

heavy iron door swung behind us. We did not see the necessity of turning the key, but it was turned and we were locked inside. We then proceeded to make observations inside. On entering, we found everything very neat, clean, orderly and well-arranged. The cells, forty in number, occupy the centre of the building, and are constructed in two rows, three tiers high, with doors facing the side walls, thus receiving light from the main walls of the building. We found some of the convicts engaged in cutting and fitting clothes, some sewing, etc., but the larger portion in their cells. They all appear to be robust and healthy and in good condition, not one being under medical treatment. The number of convicts now confined in the prison is seventy-one, and nine that are sentenced from different counties and confined in the county jails, there being no room for them in the Territorial prison at this time.

As the prison does not now furnish accommodations for the needs of the Territory, seventy-one being crowded into cells which are only ample for forty, your committee would recommend an enlargement of the prison at an early day, which could be done with the prison labor, with comparatively small expense to the Territory. Having this proposed enlargement in view, we did, while on the premises make an estimate of the cost of the material which would be required to complete an addition of the following dimensions: 105 feet by 46 feet, containing sixty cells. The following is a list of and amount of material required:

29,492 lbs. iron for windows and doos, stairs and bedsteads, @5 cts. per lb	$1,474 60
7,000 lbs. for brackets and iron balls, @5 cts	350 00
800 feet 1-inch pipe @25 cts	200 00
61 locks @ $3 50	213 50
Heating furnace and pipe to warm building	1,500 00
Plumbing water tank and bath tubs	750 00
Night bars	250 00
Paint	150 00
Nails	50 00
10,000 feet of lumber a @$25 00	250 00
Tin roof	560 00
Sash and glass for 42 windows	190 00
Total	$5,938 10

This building can be completed by July 1st, 1876, and your committee would recommend an appropriation for this much needed improvement.

Your committee having submitted for your consideration the above, we would now call your attention to the matter of providing for the convicts for the next two year, one hundred persons. We consider that number a low estimate that will have to be provided for by the Territory. At a low estimate it will cost $18,000 per annum to feed and clothe one hundred convicts, and as your committee can see no way at present whereby a revenue can be obtained from the prison labor, it will certainly devolve upon your Honorable Bodies to provide for these prisoners.

Respectfully submitted,

JAMES CLELLAND,
Council Committee.
GEORGE RAND,
House Committee.
J. C. McSHANE,
House Committee.

On motion of Mr. Marshall, the report was received and the committee discharged.

The following message was received from the Council:

DENVER, January 21, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body, that the Council have passed House Bills numbered 40 and 42 herewith returned; also the following Council bills, in which the concurrence of the House is requested: C. B. No. 47 for an act to amend an act entitled an act to encourage agriculture in Weld county, approved February 9, 1874; C. B. No. 50 for an act to amend section 85 of chapter 90 of the Revised Statutes, relating to settlement of estates; C. B. No. 51 for an act to change the name of Edwin Forde; C. B. No. 63, for an act to repeal an act entitled "Flour Inspectors," chapter 34 of Revised Statutes.

Very respectfully, your obedient servant,

JAMES T. SMITH,
Secretary.

Mr. Pisko moved the rules be suspended and he be allowed to introduce a bill without previous notice.

Motion carried, and Mr. Pisko introduced H. B. No. 54, a bill for an act to amend an act entitled "an act for the government and management of the Penitentiary."

Read first time.

Mr. Peyton moved the rules be suspended, and the bill read a second time, and referred to the Committee of the Whole.

Motion carried, and bill so referred.

Mr. Rand introduced H. B. No. 55, "a bill for an act to amend section 2 of chapter 49 of the Revised Statutes of Colorado Territory."

H. B. No. 55 read first time, and referred to the Committee on Printing.

C. B. No. 27 was read second time and referred to the Committee of the Whole.

H. B. No. 50 was read second time.

On motion of Mr. Meldrum referred to Finance Committee.

H. B. No. 51 was read second time.

On motion of Mr. Duhme, referred to Committee on Finance.

H. B. No 53 was read second time.

On motion of Mr. Marshalll referred to the Committee on Counties and County Lines.

C. B. No. 30 was read the third time.

On motion of Mr. Rettberg, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Meldrum, McShane, Marshall, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—20.

Noes—None.

So the bill passed, title agreed to.

C. B. No. 49 was read the third time.

Mr. Peyton moved it be put upon its final passage.

Mr. Marshall moved to amend, and that the bill be referred to the Judiciary Committee.

Motion carried.

Bill so referred.

C. B. No. 28 was read third time.

On motion of Mr. Sheldon, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Meldrum, McShane, Marshall, Pisko,

Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—20.

Noes—None.

So the bill passed, title agreed to.

C. B. No. 36 was read third time.

On motion of Mr. Pisko put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Meldrum, Marshall, McNutt, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—20.

Noes—None.

So the bill passed, the title agreed to.

C. B. No. 34 was read third time.

On motion of Mr. Jaramilla, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Meldrum, McShane, Marshall, Pisko, Patterson, Peyton, Rand Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr Speaker—20.

Noes—None.

So the bill passed, title agreed to.

S. H. J. M. No. 3 was read third time.

On motion of Mr. Jaramilla put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Meldrum, McShane, Marshall, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—20.

Noes—None.

So the memorial passed, title agreed to.

H. B. No. 25 read third time.

Mr. Trippe moved the bill be put upon its final passage.

Mr. Sheldon moved to amend and the bill be indefinitely postponed.

Lost.

The question now being upon the motion offered by Mr. Trippe, carried, and the bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Bingham, Duhme, Everitt, Gurule, Larned, Meldrum, Patterson, Peyton, Rand, Rettberg, and Trippe—11.

Noes—Messrs. Apadaca, Jaramilla, McShane, Marshall, Pisko, Sheldon, Sanchez, Yonley, and Mr. Speaker—9.

So the bill did not pass.

On motion of Mr. Pisko, adjourned until 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Mr. Rand was excused from further attendance during the day.
The House then went into Committee of the Whole on General Orders of the Day.
Mr. Trippe in the Chair.
After a time the committee arose, and submitted the following report:

MR. SPEAKER:—The Committee of the Whole have had under consideration H. B. 47, and report the same back to the House, and recommend it be laid upon the table.
The committee have also considered the report of the special committee appointed to investigate the statement of ex-Warden Prosser, and report the same back to the House together with the voucher presented by Mr. Sheldon, and recommend said papers be referred to the standing committee on Territorial Prisons, with instructions to report thereon by bill or otherwise; also C. B. No. 27, and recommend it be amended by adding the following to section 3: "Nothing herein shall be taken or held to invalidate the effect or in any manner interfere with any prosecution or prosecutions heretofore instituted under said acts, or with any conviction or convictions that may be had upon proceedings so instituted," and as so amended report the same back to the House, and recommend it be ordered printed; also H. B. No. 54, and report the same back to the House and recommend it be referred to the Committee on Territorial Prisons.

Respectfully submitted,
T. M. TRIPPE,
Chairman.

On motion of Mr. Bingham, report adopted.
On motion of Mr. Peyton, House adjourned until Monday next at 10 o'clock a. m.

SEVENTEENTH DAY.

MONDAY, January 24, 1876, 10 o'clock a. m.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Absent—Messrs. McShane, Marshall, and Rand.
Quorum present.
Journal read and approved.

Mr. Peyton presented a petition from 300 citizens of Saguache county, asking the passage of a fence law.

The petition was read, and on motion of Mr. Peyton, referred to the Committee on Territorial Affairs.

The Committee on Printing submitted the following report

MR. SPEAKER:—The Committee on Printing, report back H. B.'s No.'s 52 and 55, and they are believed to be correctly printed.

WM. LARNED,
Chairman.

Report received.

Mr. Bingham, of committee, submitted the following:

MR. SPEAKER:—Sir: Your Joint Committee on Enrolled Bills beg leave to report that they presented Council Bills No.'s 5, 11, 20, 24, 25, 29, 35, 37 and 58, and House Bills No.'s 15, 23, 27, 31 and 32, to the Governor for his approval, at 2 o'clock p. m., January 22, 1876.

FRANK BINGHAM,
Chairman House Joint Committee.

Report received.

Mr. Bingham, of committee, submitted the following report:

MR. SPEAKER:—The Committee on Stock, to whom was referred C. B. No. 38, have had the same under consideration, and report it back to the House with the recommendation that it do not pass.

FRANK BINGHAM,
Chairman.

Report received.

Mr. Sheldon of committee, submitted the following reports:

MR. SPEAKER:—Your Committee on Finance, Ways and Means, to whom was referred H. B. No. 50, have had the same under consideration, and beg leave to report, recommending its passage.

Respectfully submitted,
A. Z. SHELDON,
Chairman.

Report received.

MR. SPEAKER:—Your Committee on Finance, Ways and Means, to whom was referred H. B. No. 45, have had the same under consideration, and beg leave to report that they offer the following amendment to Sec. two (2) of the bill:

Provided, also, that if at the time the tax on said real estate is collected by the County Treasurer, the tax on said mortgage or trust deed has not been paid, the County Treasurer shall collect said tax from the owner of the real estate, securing said mortgage or trust deed, and the amount so paid on the mortgage shall be a lawful set-off against said note, in whose hands soever the said note may be. It is further expressly provided that the tax levies upon the mortgage or trust deed shall in all cases be a lien upon the real estate securing the same, and when delinquent said real estate may be sold, for the purpose of the tax, in the same manner as if the tax had been levied thereon.

And your committee do recommend the passage of the bill, so amended.

All of which is respectfully submitted,
A. Z. SHELDON, Chairman,
GEO. RAND,
EDWARD PISKO,
W. LARNED.

Report received.

The Committee on Judiciary submitted the following report:

MR. SPEAKER:—The Committee on Judiciary beg leave to report that they have had under consideration H. B. No. 48,

"concerning the Probate Court of Saguache county," and report a substitute therefor, and recommend its passage. Your committee have also considered the House Resolution instructing the Committee on Judiciary "to report a bill amending the law concerning changes of venue, etc.," and comply by reporting herewith a bill, and recommend its passage. Also C. B. No. 49, "an act concerning action on bonds, bills, notes, and other instruments in writing," and recommend its passage.

W. B. MILLS,
Chairman.

Report received.

Mr. Smith, of committee, submitted the following:

MR SPEAKER:—The Committee on Territorial Affairs report back H. B. No. 9, "an act to change the name of Herman Brand," with amendment thereto attached; also H. B. No. 10, "an act for the protection of fish in Colorado," and recommend it do pass; also H. B. No. 11, "an act for the protection of wild game in Colorado," and recommend it do pass.

E. L. SMITH,
Chairman.

Report received.

Bills were introduced as follows:

Mr. Pisko introduced H. B. No. 56, "a bill for an act to compel children to attend school."

Mr. Duhme introduced H. B. No. 57, "a bill for an act to amend an act entitled an act regulating the branding, herding, and care of stock, approved February 9, A. D. 1872."

Mr. Gurule introduced H. B No. 58, "a bill for an act to provide for the printing of the Constitution of the State of Colorado in the Spanish language."

Mr. Meldrum introduced H. B. No. 59, "a bill for an act to amend chap. 84 of the Revised Statutes of Colorado Territory, entitled 'Towns and Cities.'"

Mr. Patterson moved the rules be suspended, and he be allowed to introduce a bill without having given previous notice.

Motion carried, and Mr. Patterson introduced H. B. No. 60, "a bill for an act concerning costs in certain cases."

Mr. Smith moved the rules be suspended, and he be allowed to introduce a bill without having given previous notice.

Motion carried, and Mr. Smith introduced H. B. No. 61, "a bill for an act to dissolve the bonds of matrimony between Thomas O'Brien and Linda O'Brien.

Messrs. Rand and McShane appeared, and took their seats.

C. B.'s No.'s 47, 50, and 51, were read second time, and referred to the Committee of the Whole.

C. B. No. 63 was read second time.

On motion of Mr. Jaramilla the rules were suspended, the bill read a third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Mills, Meldrum, McShane, McNutt, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 52 was read second time.

On motion of Mr. Mills, referred to the Committee on Territorial Affairs.

H. B. No. 55 was read second time.

On motion of Mr Rand the rules were suspended, the bill read the third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Mills, Meldrum, McShane, McNutt, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to

The report of the Committee on Stock, on C. B. No. 38, was considered.

Mr. Peyton moved further action on the bill be indefinitely postponed.

Motion carried.

The report of the Committee on Finance, on H. B. No. 50, was considered.

Mr. Meldrum moved the rules be suspended, and the bill be read the third time, and put upon its final passage.

Motion carried.

So H. B. No. 50 was read third time, and put upon its final passage.

State Historical and
Natural History Society
DENVER, COLORADO.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Mills, Meldrum, McShane, McNutt, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

The report of the Finance Committee on H. B. No. 45 was considered.

On motion of Mr. Pisko, the bill, and report thereon, were referred to the Committee of the Whole.

The report of the Judiciary Committee on H. B. No. 48 was considered.

On motion of Mr. Peyton, the substitute reported by the committee was read second time, and referred to the Committee of the Whole.

The report of the Committee on Judiciary, on the resolution offered by Mr. Everitt instructing the committee to report a bill amending the law concerning change of venue, was considered.

On motion of Mr. Peyton, H. B. No. 62, reported by the committee, was read and placed on file, for consideration in Committee of the Whole.

The report of the Judiciary Committee on H. B. No. 49, was considered.

On motion of Mr. Sheldon, the report was adopted, and bill placed on file for third reading

The report of the Committee on Territorial Affairs, on H. B. No. 9, was considered.

Mr. Peyton moved the rules be suspended, the bill, as amended by the committee, be read a third time, and put upon its final passage.

Motion carried.

H. B. No. 9 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Mills, Meldrum, McShane, McNutt, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

The report of the Committee on Territorial Affairs, on H. B. No. 10, was considered.

Mr. Peyton moved the rules be suspended, the bill read a third time, and put upon its final passage.

Mr. McShane moved to amend, and that the bill be referred to the Committee of the Whole.

Declared lost.

Mr. Mills called for a division.

There was for the amendment, 11—against, 9.

So the motion carried, and the bill referred to the Committee of the Whole.

The report of the Committee of Territorial Affairs, on H B. No. 11, was, on motion of Mr. Mills, adopted, and the bill referred to the Committee on Engrossment.

Mr. Mills moved the House adjourn until 2 o'clock p. m.

Motion withdrawn.

On motion of Mr. Rand, Mr. Patterson was excused from further attendance during the week.

On motion of Mr. Mills, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

C. B. No. 49 was read third time.

On motion of Mr. Meldrum, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Mills, Meldrum, McShane, Patterson, Peyton, Rand, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—17.

Noes—Messrs. Larned, McNutt, Pisko, and Rettberg—4.

So the bill passed.

On motion of Mr. Mills, the title was amended to read, "a bill for an act to repeal an act concerning actions on bonds, bills, notes, and other instruments in writing, approved January 31, 1872."

As so amended, title agreed to.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 24, 1876.

To the Honorable Speaker of the House:

SIR: I am instructed to inform your Honorable Body that the Council has passed the following bills: C. B. No. 2, "for an act concerning equitable liens"; C. B. No. 6, "for an act to amend chap. 7 of the Revised Statutes, entitled, 'Attorneys-at-Law'"; C. B No. 7, "for an act to repeal certain sections of chap. 70 of the Revised Statutes, entitled 'Practice'"; C. B. No. 10, "for an act to amend chap. 67 of the Revised Statutes, entitled 'Partition'"; C. B. No. 15, "for an act to amend chap. 55 of the Revised Statutes, entitled "Limitations'"; C. B. No. 52, "for an act concerning practice in the District and Probate Courts"; C. B. No. 59, "for an act concerning the adoption of children"; C. B. No. 64, "for an act to amend an act entitled an act concerning mines"; C. B. No. 65, "for an act concerning appeals from judgments of Justices of the Peace." The concurrence of the House is requested.

Very respectfully, your obedient servant,
JAMES T. SMITH,
Secretary.

H. B. No. 11 was read third time.

Mr. Peyton moved to amend the bill, as follows: Add to Sec. 10, "Provided that if any regular dealer in game shall have on hand any deer, elk, or antelope on the 15th day of January, purchased previous to that day, and shall make out a written statement of the game, giving the number of pounds of each kind so purchased and unsold, and shall post the game in a conspicuous place in his salesroom, he shall be permitted to sell such game so purchased, and posted as above indicated, during the fifteen days next succeeding said 15th day of January."

Carried, so amended.

Mr. McNutt moved to further amend, by adding to section 11, the following: "Provided that the territory now embraced in the present counties of La Plata and Hinsdale be excepted from all the provisions of this act."

Mr. Jaramilla moved to amend this motion by excepting from the provisions of the bill "the territory embraced in the county of Las Animas."

Amendment carried.

The question now being on the motion of Mr. McNutt, a division was called for.

For the motion, 10—against, 8.

So carried, bill so amended.

Mr. Mills moved to further amend by adding the following to Sec. 9: "And provided, further, that if, on the trial of such action, the game shall be determined adversely to the plaintiff therein, there and in such case judgment for costs shall be rendered against the complainant instituting the suit.

Motion carried, so amended.

Mr. Smith moved to further amend Sec 9, by striking out, in the fifth line, the word "complainant," and insert in lieu thereof the word "informant"; also in sixth line strike out the word "informant," and insert in lieu thereof the words "prosecutor," or "informer."

Carried, bill so amended.

Mr. Rand moved to amend Sec. 2 by striking out the words "goose and duck."

Mr. Rand so amended his motion as to strike out the words, "goose and wild duck," wherever they occur in sections 2 and 7.

Mr. McShane moved to amend the motion, and to further amend the bill by striking out the word "willow," in sec. 3.

Amendment accepted.

Motion, as amended, lost.

Mr. Yonley moved to amend sec. 1, by adding thereto, "Provided that this act shall not be so construed as to apply to Taxidermists in their pursuits."

Carried, bill so amended.

On motion of Mr. Sheldon, the bill was ordered engrossed, as amended.

A verbal communication was made by the Private Secretary of the Governor, announcing that His Excellency had approved and signed H. B.'s No.'s 15, 23, 27, 31, and 32.

The Special Order of the Day, H. B. No. 6, was taken up.

On motion, continued until Wednesday afternoon.

The House went into Committee of the Whole on General Orders of the Day.

Mr. McNutt in the chair.

During the session of the committee Messrs. Trippe and Sheldon were excused, and Mr. Marshall appeared and took his seat.

Sergeant-at-Arms announced a message from the Council.

The Speaker took the chair, and the following communication was received..

COUNCIL CHAMBER,
DENVER, January 24, 1876.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has concurred in House amendment to C. B. No. 49

Very respectfully, your obedient servant,
JAMES T. SMITH,
Secretary.

COUNCIL CHAMBER,
DENVER, January 24th, 1876.

To the Hon. Speaker of the House:

SIR: I am instructed to inform your Honorable Body that the Council has concurred in House amendments to C. B's No.'s 34 and 36.

Very respectfully, your obedient servant,
JAMES T. SMITH,
Secretary.

The House resumed its session in Committee of the Whole. After a time the Committee arose, and submitted the following report:

MR. SPEAKER:—The Committee of the Whole have had under consideration C. B. No. 47, and recommend it be amended as follows: In sec. 2, line one (1), strike out the word and figure "four (4)," and insert in lieu thereof the word and figure "three (3)," and as so amended that the bill do pass; also C. B. No. 50, and report the same back to the House, and recommend it do pass; also C. B. No. 51, and report the same back to the House, with recommendation it do pass: also H. B. No. 45, and recommend it be amended by striking out sec. 2, and, as so amended, it do pass: also S. H. B. No. 48, and report the same back to the House, and recommend it do pass; also H. B. No. 62, and report the same back to the House, with the recommendation it do pass; also H B. No. 10, and recommend

the further consideration of the bill be deferred until to-morrow.

R. J. McNUTT,
Chairman.

On motion of Mr. Mills, report adopted.

Mr. Mills moved the bills reported favorably upon by Committee of the Whole, be ordered engrossed.

Motion carried.

Bills referred to Committee on Engrossment.

On motion of Mr. Pisko, the House adjourned

EIGHTEENTH DAY.

TUESDAY, January 25, 1876, 10 o'clock a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Mills and Rettberg.

Quorum present.

Journal read and approved.

The following message was received from the Council:

COUNCIL CHAMBER;
DENVER, January 25, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has passed House Bill No. 9, herewith returned; also the following Council Bills in which the concurrence of the House is requested:—C. B. No. 13, for an act to amend chapter 49 of the Revised Statute, entitled "Jurors;" C. B. No. 48, for an act to amend an act, entitled "an act concerning the Library of the Supreme Court," approved February 13, 1874, and to repeal an act entitled "an act for the payment of rent of Supreme Court clerk's office; C. B. No. 55, for an act to amend chapter 70 of the Revised Statutes, entitled "Practice."

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

Mr. Mills presented a petition from Hon. John Evans, John W. Blackburn, C. B. Kountz, and others, in behalf of the University at Denver, asking that the law relative to such organization be amended so as to enable said institution when organized, to receive donations, etc., and to exempt said institution from taxation.

The petition was read, and on motion of Mr. Mills referred to the Committee on Education.

Mr. Pisko, of committee submitted the following report:

MR. SPEAKER:—Your Committee on Engrossment to whom was referred House bill No. 11, beg leave to report that they have examined the same, and find it correctly engrossed as amended.

EDWARD PISKO,
Chairman.

Mr. Larned, of committee, submitted the following report:

MR. SPEAKER:—The Committee on Printing report back Council No. 27, and House Bills No's 56, 57, 58, 59, 60 and 61, and they are believed to be correctly printed.

WM. LARNED,
Chairman

Report received.

Mr. Bingham, of committee, submitted the following report.

MR. SPEAKER:—The Joint Committee on Enrollment, would beg leave to report that they have examined the enrollment of House Joint Memorials No's 1 and 2, and find the same correct.

FRANK BINGHAM,
Chairman House Joint Committee on Enrollment.

Report received

Mr. Nimerick, of committee, submitted the following:

HON. MR. SPEAKER:—Your Committee on Territorial Library to whom was referred H. B. No. 28, have had the same under consideration, and would refer the same back with a substitute which they recommend be passed.

J. M. NIMERICK,
Chairman.

Report received.

On motion of Mr. McNutt, the rules were suspended, and he allowed to introduce a bill without having given previous notice.

Motion carried.

Mr. McNutt introduced H. B. No. 63, "a bill to establish a Stock Board or Exchange."

Read first time, and referred to the Committee on Printing.

Mr. Pisko introduced H. B. No. 64, "a bill for an act in relation to the adopted child of Israel B. Hatch"

Read first time.

Mr. Pisko moved the rules be suspended, bill read second and third time by its title and put upon its final passage.

Motion carried.

H. B. No. 65 was read the second and third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall. McNutt. Nimerick, Pisko, Peyton, Rand, Rettberg, Smith. Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

Noes—None.

So the bill passed, title agreed to.

Mr. Smith introduced H. B. No. 65, "a bill for an act relating to the adoption of Angeline Christman."

Mr. Peyton moved the rules be suspended, the bill read second and third time, and put upon its final passage.

Motion carried.

H. B. No. 65 was read read the second and third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall. McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

Noes—None.

So the bill passed, title agreed to.

On motion the rules were suspended, and Mr. Sheldon introduced without previous notice, H. B. No. 66, "a bill for an act concerning the settlement of partnership estates, upon the death of a partner."

Read first time.

Under suspension of the rules the bill was read a second time and referred to the Judiciary Committee.

C. B's No's 2, 6, 10, were read second time, and referred to Committee of the Whole.

C. B. No. 7 was read second time.

On motion of Mr. Duhme, referred to Judiciary Committee.

C. B. No. 12 was read second time.

On motion of Mr. McShane, referred to the Judiciary Committee.

C. B. No. 52 was read second time.

On motion of Mr. Smith referred to the Judiciary Committee.

C. B. No. 59 was read second time.

On motion of Mr. Everitt, referred to the Judiciary Committee.

C. B. No. 64 was read second time.

On motion of Mr. Trippe, referred to Committee on Mines and Mining.

C. B. No. 65 was read the second time.

On motion of Mr. Mills, referred to the Judiciary Committee.

H. B. No. 56 was read the second time.

On motion of Mr. McNutt, referred to the Committee on Education.

H. B. 57 was read second time.

On motion of Mr. Duhme referred to the Committee on Stock.

H. B. No. 52 was read second time.

Referred to the Committee of the Whole.

H. B. No. 59 was read second time.

On motion of Mr. McNutt, it was referred to the Committee on Territorial Affairs.

H. B. No. 60 was read second time.

On motion of Mr. Rand, referred to Committee on Mines and Mining.

H. B. No. 61 was read second time.

Mr. McNutt moved it be referred to the Committee on Federal Relations.

Mr. Peyton moved to amend and refer to the Committee on Irrigation.

Mr. Smith moved to further amend, and that the bill be referred to the Committee on Territorial Library.

A division of the House was had on the motion of Mr. Smith.

There were for the motion 14 votes; against, none.

So carried; bill so referred.

Mr. Pisko, of committee, submitted the following report:

MR. SPEAKER:—Your Committee on Engrossment, to whom was referred Council Bill No. 47 to be amended, and House substitute No. 48, have examined the same and find them correctly engrossed.

Respectfully submitted,

EDWARD PISKO,
Chairman.

Report received

The report of the Committee on Territorial Library, on H. B. No. 28 was considered.

On motion of Mr. Jaramilla, the report was adopted.

Mr. McShane announced the presence of the Hon. H. Jacob Kruse, Mayor of Central City.

On motion of Mr. Peyton, the Honorable Mayor was invited to a seat within the Bar of the House.

Mr. Smith moved the rules be suspended, and he be allowed to introduce a joint resolution.

Motion carried.

Mr. Smith introduced H. J. R. No. 1, a joint resolution postponing certain cases in the District Court of Boulder county.

Mr. Peyton moved the rules be further suspended, the resolution be read second and third time by title, and put upon its final passage.

Motion carried.

The resolution was read second and third times, and passed by a unanimous vote.

C. B. No. 50 was read the third time.

On motion of Mr. Mills put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

Noes—None.

So the bill passed, title agreed to.

C. B. No. 50 was read the third time.

On motion of Mr. Bingham, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

Noes—None.

So the bill passed, title agreed to.

C. B. No. 51 was read third time.

On motion of Mr. Bingham put upon its final passage.

The vote resulted as follows.

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

Noes—None.

So the bill passed, title agreed to.

On motion of Mr. Duhme, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

C. B. No. 27 read third time.

On motion of Mr. Marshall put upon its final passage.

The vote stood as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith. Sheldon, Sanchez, Yonley, and Mr. Speaker—24.

Noes—None.

So the bill passed, title agreed to.

Mr. Peyton was excused from further attendance during the afternoon.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 25, 1876.

To the Honorable Speaker of the House of Representatives:

SIR:—I am instructed to inform your Honorable Body, that the Council has passed House Bill No. 49, herewith returned: also that the following Council Bills have been passed, in which the concurrence of the House is requested: C. B. No. 3, for an act to amend chapter 22 of the Revised Statutes, entitled "Criminal Code;" C. B. No. 54, for an act concerning

the transportation of nitro-glycerine and other combustible and explosive articles.

Very respectfully, your obedient servant,

JAS. T. SMITH,
Secretary.

C. B. No. 47 was read the third time.

On motion of Mr. Mills put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick Pisko, Rand, Smith. Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

Mr. Trippe appeared and took his seat.

S. H. B. No. 28 was read the third time.

On motion of Mr. Duhme put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr Speaker—22.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 62 was read third time.

On motion of Mr. Everitt, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

So the bill passed, title agreed to.

S. H. B. No. 48 read third time.

On motion of Mr. Pisko put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt,, Nimerick, Pisko, Rand, Rettberg, Sanchez, Trippe, and Mr. Speaker—20.

Noes, Messrs. Smith, Sheldon, and Yonley—3.

So the bill passed, the title agreed to.

Mr. Smith was excused from further attendance during the afternoon.

H. B. No. 11 was read third time.

Mr. Trippe moved the bill be put upon its final passage.

Mr. Marshall moved the further consideration of the bill be indefinitely postponed.

Motion withdrawn.

On motion of Mr. McNutt the bill was laid on the table.

The House now went into Commttee of the Whole on the Special Order of the Day, S. H. B. No. 5.

Mr. Rand in the chair.

Sergeant-at-arms announced a message from the Council.

The Speaker took the chair, and the following message was received:

COUNCIL CHAMBER,
DENVER, January 25, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that that Council has passed H. J. R. No. 1, and has indefinitely postponed further action upon substitute for H. B. No. 3. and substitute for H. B. No. 4.

Very respectfully, your obedient servant,
JAS. T. SMITH,
Secretary.

The House resumed its session of Committee of the Whole.

The committee arose and submitted the following report:

MR. SPEAKER:—The Committee of the Whole have had under consideration S. H. B. No. 5, and report the same back to the House, and recommend it be recommitted to the Committee on Railroads.

GEO. RAND,
Chairman.

On motion of Mr. Mills the report was adopted.

On motion of Mr. McNutt the House adjourned.

NINETEENTH DAY.

WEDNESDAY, January 26, 1876, 10 o'clock a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Rettberg and Trippe.

The reading of the Journal was dispensed with for the day.

Mr. Mills, of the Judiciary Committee, submitted the following reports:

MR. SPEAKER:—Your Committee on Judiciary beg leave to report back C. B. No. 59, "an act concerning the adoption of children," with the recommendation that it do pass.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—Your Committee on Judiciary report back C. B. No. 65, "concerning appeals from judgments of Justices of the Peace," with the recommendation that it do not pass.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary beg leave to report back C. B. No. 52, entitled "an act concerning practice in the District and Probate Courts," and recommend its recommitment to the Committee of the Whole House.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary beg leave to report that they have considered H. B. No. 44, "for the adjustment of certain unsettled Auditor's accounts," and recommend its recommitment to the Committee of the Whole House.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—Your Committee on Judiciary have fully considered S. H. B. No. 17, "an act to amend the act providing for the assessment and collection of revenue," approved February 11, 1870, and beg leave to report herewith a substitute.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary have had under consideration C. B. No. 15, amending chap. 55 of Revised Statutes, entitled "Limitations," report the same back with the recommendation that the same be amended by adding

thereto the following: "Provided that the time during which any party defendant shall be absent from the Territory of Colorado shall not be included in the time limited for the commencement of actions in sections 1, 2, 3, 4, 5, 6, 7, and 8 of the act of which this is amendatory," and that the same, so amended, do pass.

WM. B. MILLS,
Chairman.

MR. SPEAKER: —The Committee on Judiciary, to whom was referred H. B. No. 66, "concerning the settlement of co-partnership estates, upon the death of a partner," beg leave to report the same back, with a recommendation that sec. 1 thereof be amended, by inserting after the word "him," in line 24, the words, "or them"; also that sec. 5 of said act be amended, by striking out the word "Judge," in the second line thereof, and inserting in lieu thereof the word "Court," and that the bill, thus amended, do pass.

WM. B. MILLS,
Chairman.

Reports received.

Mr. Kruse, of committee, submitted the following report:

MR. SPEAKER:—We, your Committee on Enrollment, beg leave to report back H. J. R. No. 1, correctly enrolled.

FREDERICK KRUSE,
Chairman of Committee on Enrollment.

Report received.

MR. SPEAKER:—The Committee on Printing report back H. B. No. 63, and believe it to be correctly printed.

WM. LARNED,
Chairman.

Report received.

Mr. McShane, of committee, submitted the following report:

MR. SPEAKER:—We, your committee to whom was referred H. B. No 20, beg leave to inform your Honorable Body that they have had the same under consideration, and report same

back to the House with the following amendments: By striking out in the second and third lines the words "seven thousand four hundred dollars," and insert in lieu thereof "six thousand dollars," and recommend that the bill do pass, as amended.

J. C. McSHANE,
Chairman Committee on Territorial Prisons.

Report received.

Bills were introduced as follows.

Mr. Everitt introduced H. B. No. 67, "a bill for an act to amend the revenue law."

Mr. Larned introduced H. B. No. 68, "a bill for an act for the relief of the City of Black Hawk."

Mr. Mills introduced H. B. No. 69, "a bill for an act to establish a Territorial Board of Health."

Mr. Pisko introduced H. B. No. 70, "a bill for an act amendatory to an act entitled an act concerning actions on bonds, bills, and promissory notes, approved February 13, 1874."

Mr. Marshall introduced H. B. No. 71, "a bill for an act to regulate the fees of Territorial assayers."

H. B.'s No.'s 67, 68, 69, 70, and 71, were read first time, and referred to the Committee on Printing.

C. B.'s No.'s 13, 48, 55, and 3, were read second time, and referred to the Committee of the Whole.

C. B. No. 72 was read second time.

On motion of Mr. Peyton, referred to Committee on Stock.

C. B. No. 57 was read second time.

Mr. Pisko moved the bill be referred to the Committee on Railroads.

Mr. McNutt moved to amend, and the bill be referred to the Committee on Printing.

Amendment accepted.

Motion carried, and bill so referred.

H. B. No. 63 was read second time.

On motion of Mr. McNutt, the rules were suspended, the bill read the third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Sheldon, Sanchez, Trippe, and Mr. Speaker—20.

Noes—Messrs. Smith and Yonley—2.

Mr. Mills excused from voting.

So the bill passed, title agreed to.

The report of the Judiciary Committee on C. B. No. 15 was considered.

On motion of Mr. Sheldon the report was adopted.

Bill ordered engrossed.

The report of the same committee on C. B. No. 52 was, on motion of Mr. McNutt, adopted.

The report of the same committee on C. B. No. 59 was, on motion of Mr. Mills, adopted.

The report of the same committee on C. B. No. 65 was considered.

On motion of Mr. Sheldon, report adopted.

The report of the Judiciary Committee on S. H. B. No. 44. was considered.

On motion adopted.

On motion, Mr. Mills, of committee, was allowed to add the following to said report, to-wit: "And that the Auditor be invited to appear, and give the committee such information on the subject as he may be able."

The clerk was instructed to furnish the Auditor with a copy of said report.

The report of the Judiciary Committee on H. B. No. 17. was considered.

On motion of Mr. Pisko, the substitute reported by the committee was ordered on file for second reading.

The report of the same committee on H. B. No. 66. was considered.

On motion of Mr. Sheldon, adopted.

The report of the Committee on Territorial Prisons, on H. B. No. 20, was considered.

Mr. Rand moved the report be adopted.

Mr. Pisko moved to amend, and that the bill and the report be referred to the Committee of the Whole.

Carried, so referred.

C. B. No. 59 was read third time.

Mr. Marshall moved the bill be amended by inserting after the word "District," in sec. 4, the words, "or Probate."

Motion carried, and bill so amended.

On motion of Mr. Marshall, the bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs Apadaca, Bingham, Duhme, Everitt, Gurule,

Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Raud, Smith, Sheldon. Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

So the bill passed, title agreed to.

C. B. No. 65 was read the third time.

Mr. Marshall moved the bill be laid upon the table

Motion carried.

So the bill was laid on the table.

On motion of Mr. Peyton, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

On motion of Mr. Marshall, the House went into Committee of the Whole for the consideration of the Special Order of the Day, H. B. No. 6.

Mr. McShane was called to the chair.

After a time the committee arose. and submitted the following report

MR. SPEAKER:—The Committee of the Whole have had under consideration H. B. No. 6, and report the same back to the House, and recommend it be laid on the table.

J. C. McSHANE,
Chairman.

On motion of Mr. Mills, the report was adopted.

Mr. Mills was excused from further attendance during the afternoon.

On motion of Mr. Trippe, the House adjourned until 10 o'clock to-morrow.

TWENTIETH DAY.

THURSDAY, January 27, 1876, 10 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.
Absent—Messrs. Duhme and McNutt.
Quorum present.
Journal of the two preceding sessions read and approved.
During the reading of the Journal Messrs. Duhme and McNutt appeared, and took their seats.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 27, 1876.

To the Honorable Speaker of the House:

SIR: I am instructed to inform your Honorable Body that the Council has amended H. B. No. 1. and has passed the bill as amended; bill herewith returned, with amendments engrossed thereon. The concurrence of the House in the amendments is requested. Also that the Council has passed the following Council Bills: C. B. No. 4, "for an act in regard to practice at law and in chancery"; C. B. No. 8, "for an act concerning the assignment of judgments"; C. B. No. 9, "for an act in regard to practice at law and in chancery"; substitute for C. B. No. 12, "for an act to amend an act entitled 'an act to amend chap. 9 of the Revised Statutes, and for other purposes,'" approved February 9, 1872; substitute for C. B. No. 18, "for an act in regard to the foreclosure of mortgages." The concurrence of the House is requested.

Very respectfully, your obedient servant,
JAMES T. SMITH,
Secretary.

Mr. Mills, of committee, submitted the following reports:

MR. SPEAKER:—The Committee on Judiciary have considered H. B. No. 2, amending sec. 1 of chap. 6 of the Revised Statutes, etc., entitled "Attachments," and report the same back, with the recommendation that it lie on the table.

W. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary beg leave to report that they have had under consideration C. B. No. 7, repealing certain sections of chap. 70 of the Revised Statutes, en-

titled "Practice," and recommend that it do not pass.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The undersigned majority of the Committee on the Judiciary, report back adversely C. B. No. 17, entitled "an act relating to the appointment of a clerk of the Probate Court of Arapahoe county," believing that any change therein is unnecessary at the present time.

WM. B. MILLS,
FREDERICK KRUSE,
R. J. McNUTT.

Mr. Smith, of same committee, submitted the following minority report:

MR. SPEAKER:—The undersigned members of the Judiciary Committee, submit the following minority report: The occasion for conferring upon County Clerks the duties of clerks of the several Probate Courts in Colorado, has long ceased to exist in the more populous counties. In view of this fact, and of the important jurisdiction and rapidly increasing business of the Probate Court of Arapahoe county, we recommend the passage of C. B. No. 17, authorizing the Probate Judge of said county of Arapahoe to appoint his own clerk.

Respectfully submitted,
E. L. SMITH,
JAMES Y. MARSHALL.

Reports received.

Mr. Bingham submitted the following report:

MR. SPEAKER:—Your Committee on Stock, to whom H. B. No. 57 was referred, have had the same under consideration, and report it back to the House with the recommendation that it pass.

FRANK BINGHAM,
Chairman.

Report received.

Mr. Bingham, of committee, submitted the following report:

MR. SPEAKER:—Sir: The Joint Committee on Enrollment beg leave to report that they presented House Joint Resolution No. 1 to the Governor for his approval, at 7 o'clock p. m., January 26, 1876; also that they have examined C. B.'s No.'s 63, 34, 36, 28, 30, and 49, and find the same correctly enrolled.

FRANK BINGHAM,
Chairman House Joint Committee on Enrollment.

Report received.

Mr. Pisko submitted the following report:

MR. SPEAKER:—Your Committee on Engrossment, to whom was referred H. B. No. 66, and C. B. No. 15, have examined the same, and find them correctly engrossed, as amended.

Respectfully submitted,
EDWARD PISKO,
Chairman.

Report received.

Mr. Pisko, of committee, submitted the following report:

MR. SPEAKER:—Your Committee on Education, to whom was referred H. B.'s No.'s 38 and 56, have had the same under consideration, and beg leave to report them back as follows: H. B. No. 38, with the recommendation that it do pass; H. B. No. 56, with the recommendation that it be referred to the Committee of the Whole.

Respectfully submitted,
EDWARD PISKO,
Chairman.

Report received.

Mr. Kruse submitted the following report:

MR. SPEAKER:—We, your Committee on Enrollment, beg leave to report back H. B.'s No.'s 40 and 42, correctly enrolled.

FREDERICK KRUSE,
Chairman Committee on Enrollment.

Report received.

Mr. Nimerick, of Committee, submitted the following report:

MR. SPEAKER:—Your Committee on Territorial Library, to whom was referred H. B. No. 61, have had the same under consideration, have conversed with Thomas M. O'Brien and Linda O'Brien. We learn from both parties that it is their desire and wish that the bonds of matrimony between them shall be dissolved, and that each may be at liberty, if the opportunity affords, to marry again in like manner, as if they had never been married. Your committee say that this bill do pass, and that the parties do marry, if they so desire.

J. M. NIMERICK,
Chairman.

Report received.

Mr. Larned, of committee, submitted the following report:

MR. SPEAKER:—The Committee on Printing report back H. B.'s No.'s 67, 68, 69, 70, and 71, and they are believed to be correctly printed.

WM. LARNED,
Chairman.

Report received.

The amendments proposed by the Council to H. B. No. 1 was considered.

Mr. Smith moved the House concur.

Mr. McNutt moved the motion be laid on the table.

Declared lost.

A division of the House was called for.

There was for the motion, 5—against, 12.

So the motion was lost.

Question now being on the motion to concur, was carried, and the House concurred in the amendments.

Mr. Mills introduced H. B. No. 72, "a bill for an act for the relief of Keziah C. Wildboor."

Mr. Smith moved the rules be suspended, the bill be read first and second times by title, third time at length, and put upon its final passage.

Motion carried.

The bill was read first, second, and third times, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

Bills were introduced as follows:

Mr. Mills introduced H. B. No. 73, "a bill for an act to preserve the public health."

Mr. Everitt introduced H. B. No. 74, "an act to amend an act regulating the salaries of Territorial officers," approved February 9, 1872.

Mr. Peyton introduced H. B. No. 75, "a bill for an act to establish a fence law in Saguache county."

Mr. McShane introduced H. B. No. 76, "a bill for an act concerning the Penitentiary at Cañon City."

H. B.'s No.'s 73, 74, 75, and 76, were read the first time.

On motion of Mr. Peyton, the rules were suspended.

H. B. No. 75 was read second time, and referred to the Committee on Stock.

H. B.'s No.'s 73, 74, and 76 were referred to Printing Committee.

S. H. B. No. 17, and H. B.'s No.'s 67, 68, 70, and 71, were read the second time, and referred to the Committee of the Whole.

H. B. No. 69 was read second time.

On motion of Mr. Mills, referred to the Committee on Territorial Affairs.

The report of the Committee on Judiciary, on H. B. No. 2, was considered.

On motion of Mr. Pisko, adopted.

So the bill was laid on the table.

The report of the same committee on C. B. No. 7 was, on motion of Mr. McNutt, adopted.

The majority and minority reports of the Judiciary Committee, on C. B. No. 17, were considered.

On motion of Mr. McNutt, the bill and reports were referred to the Committee of the Whole.

The report of the Committee on Stock, on H. B. No. 57, was considered.

Mr. Jaramilla moved the rules be suspended, and the bill put upon its final passage.

Motion carried.

The bill was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule. Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sanchez, Yonley, and Mr. Speaker—22.

No—Mr. Sheldon.

So the bill passed, title agreed to.

H. B.'s No.'s 38 and 56, as reported upon by the Committee on Education, were considered.

On motion of Mr. Pisko, the report was adopted.

On motion of Mr. Yonley, H. B. No. 38 was referred to the Committee of the Whole.

H. B. No. 61, as reported on by the Committee on Territorial Library, was considered.

On motion of Mr. Mills, the report was adopted.

Mr. Mills now moved the rules be suspended, the bill read a third time, and put upon its final passage.

Mr. Marshall moved the bill be laid on the table.

Motion withdrawn.

Mr. Smith moved to amend the motion offered by Mr. Marshall, and that the bill be referred to the Committee of the Whole.

Mr. Marshall renewed his motion that the bill be laid on the table.

Motion lost.

Amendment offered by Mr. Smith withdrawn.

Question now being on the motion of Mr. Mills, was carried.

The bill was read third time.

Mr. Smith moved the further consideration of the bill be postponed for the present.

Motion lost.

The bill was now put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everett, Gurule. Jaramilla, Kruse, Larned, Mills, Nimerick, Pisko, Rand, Rettberg, Smith, Sheldon, Trippe, Yonley, and Mr Speaker—19

Noes—None.

Messrs. Meldrum, McShane, Marshall, McNutt and Sanchez were excused from voting.

So the bill passed, title agreed to

The following message was received from the Council:

COUNCIL CHAMBER;
DENVER, January 27, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has passed C. B. No. 60, "for an act to amend sections 1 and 2 of an act entitled an act to amend division 6, chap. 22, of the Revised Statutes, entitled 'Criminal Code,'" approved February 11, 1874. The concurrence of the House is requested. Also that the Council has concurred in House amendments to C. B.'s No.'s 47 and 59.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

Mr. Pisko moved the House adjourn until 2 o'clock p. m.
Motion lost.
C. B. No. 15 was read third time.
Mr. Rand moved the bill be put upon its final passage.
Mr. Smith moved to amend, and that the bill be referred to the Committee of the Whole.
Motion carried.
So referred.
Mr. Mills moved the rules be suspended, and H. B. No. 60 be read second time.
Motion carried.
H. B. No. 60 was read second time.
Mr. Pisko moved the rules be further suspended, and the bill be read the third time and put upon its final passage.
Motion carried.
H. B. No. 60 was read third time, and put upon its final passage.
The vote resulted as follows:
Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Trippe, Yonley, and Mr. Speaker—23.
Noes—None.
So the bill passed, title agreed to.
On motion, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
H. B. No. 66 was read third time.
Mr. Bingham moved it be put upon its final passage.
Mr. Sheldon moved the bill be laid on the table temporarily.
Motion carried.
The House then went into Committee of the Whole on General Orders of the Day.
Mr. Smith in the Chair.
Sergeant-at-arms announced a message from the Council.
The Speaker took the chair, and the following communication was received:

COUNCIL CHAMBER,
DENVER, January 27, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has passed substitute for C. B. No. 26, "for an act to amend sec. 42 of chap. 20 of the Revised Statutes. The concurrence of the House is requested.

Very respectfully, your obedient servant,
JAS. T. SMITH,
Secretary.

The committee resumed its session.
After a time the committee arose, and submitted the following report:

MR. SPEAKER:—The Committee of the Whole have had under consideration H. B. No. 10, and recommend it be amended as follows: In sec. 1, line 1, after the word "persons," add the words, "or incorporated companies," and in the third line of same section, after the word "her," add the words, "or their"; in sec. 2, after the word "persons," in first and fifth lines, add the words, "or incorporated companies"; in sec. 3, line 1, after the word "persons," the words, "or incorporated companies"; and in sec. 4, strike out the word "complainant,"

and the word "informant," wherever they occur, and insert the words "prosecutor," or "informer"; and in second line of said section, after the word "persons," add the words, or "incorporated companies"; and after the word "trout," whenever it occurs in the bill, add the words, "black bass, white bass, pike, and pickerel," and that the bill, as so amended, do pass; H. B. No. 58, and report it to the House, with the recommendation the further consideration of the same be postponed; also C. B. No. 2, and report the same back to the House, and recommend it do pass; also C. B. No. 6, and report the same back, and recommend that further consideration of the bill be indefinitely postponed; also C. B. No. 10, and report it back to the House, and recommend it do pass; also C. B. No. 48, and report same back to the House, and recommend it do pass; also C. B. No. 13, and recommend it be amended in sec. 2, by striking out the words, "or a general agent," and as so amended it do pass; also C. B. No. 55, and report the same back to the House, and recommend it do pass; also C. B. No. 3, and report the same back to the House, and recommend it do pass; also C. B. No. 52, and recommend that sec. 3 be amended by striking out the word "ten," wherever it occurs, and insert in lieu thereof the word "six." and in line 6, of same section, after the word "words," add the words, "of said certificate," and that the bill, as so amended, do pass; also S. H. B. No. 44, and report the same back to the House with a substitute, and recommend the substitute be adopted, and ordered printed; also H. B. No. 20, and report the same back to the House, and recommend it do pass; also S. H. B. No. 17, and report the same back to the House, without recommendation; also H. B. No. 67, and recommend sec. 1 be amended by inserting between the words "of," and "property," in 6th line, the word "personal," and between the words "other," and "property," in last line, the word "personal," and as so amended the bill do pass.

Respectfully submitted,

E. L. SMITH,
Chairman.

Mr. Mills moved the report be adopted.

Mr. Pisko moved to amend by excepting that portion of the report referring to C. B. No. 6.

Amendment accepted.

Motion, as amended, aceepted.

Mr. McShane moved the House adjourn.

Motion withdrawn.

Mr. Jaramilla asked that Mr. Chrismeyer, the interpreter, be removed, and made charges touching the honesty of said interpreter.

Mr. McNutt moved a committee of three be appointed to investigate.

Mr. Jaramilla moved to amend, and that the committee consist of the Mexican members of the House.

Amendment lost.

Mr. Marshall moved the House adjourn.

Carried, and the House adjourned until 10 o'clock a. m. to-morrow.

TWENTY-FIRST DAY.

FRIDAY, January 28, 1876, 10 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent Messrs. Duhme and Trippe.

Quorum present.

On motion, Messrs. Duhme and Trippe were excused from further attendance during the day.

Journal read and approved.

Mr. Larned submitted the following report:

MR. SPEAKER:—The Committee on Printing report back House Bills No's 73, 74 and 76, and they are believed to be correctly printed.

WM. LARNED,
Chairman.

Report received.

Mr. Sheldon, submitted the following report.

MR. SPEAKER:—The Committee on Finance, Ways and Means, to whom was referred H. B. No. 51, beg leave to report that they have considered the same, and find it expedient to offer

the accompanying subtsitute therefor, and to recommend its passage.

Respectfully submitted,

A. Z. SHELDON,
Chairman.

Report received.

Mr. Yonley, of committee, submitted the following report:

MR. SPEAKER:—The Committee on Railroads having had under consideration substitute for House Bill No 5, submit the following report:

That said substitute for House Bill No. 5, be amended by inserting immediately after the enacting clause, the following: Section 1. That section (52) fifty-two of said chapter eighteen (18) be and the same is hereby amended by inserting after the word "them" in the fifteenth line of said section fifty-two (52), the following words: "but for not less than seventy-five (75)" per cent. of their par value," and that the figure "1" in the first line of the section as it is now numbered in the substitute bill, be stricken out, and the figure "2" be inserted in lieu thereof, and that the figure "2" in the first line of section "2" as it is now numbered in the substituted bill be stricken out, and the figure "3" inserted in lieu thereof, and that the word "one" in the fourth line of said section "2" as the same is now numbered in said substitute bill, be stricken out, and the word "two" be inserted in lieu thereof, and that sections 3 and 4, as the same are now numbered in said substitute bill be stricken out and that the said substitute for House bill No. 5, after being so amended, do pass.

J. H. YONLEY,
Chairman.

Report received.

Mr. Kruse, of committee, submitted the following report:

MR. SPEAKER:—We your Committee on Enrollment, beg leave to report back House Bills No's 9 and 49, correctly enrolled.

FREDERICK KRUSE,
Chairman of Committee on Enrollment.

Report received.

Mr. Pisko, of committee submitted the following report:

MR. SPEAKER:—Your Committee on Engrossment to whom was referred House bills No's 10, 20, 67, and Council Bills No's 13 and 52, beg leave to report that have examined the same, and find them correctly engrossed as amended.

Respectfully submitted,

EDWARD PISKO,
Chairman.

Report received.

Mr. Bingham, of committee, submitted the following reports

MR. SPEAKER:—The Committee on Stock, to whom was referred House bill No. 75, have had the same under consideration, and would report it back to the House with a favorable recommendation.

FRANK BINGHAM,
Chairman,

MR. SPEAKER:—Your Committee on Stock, to whom was referred Council Bill No. 72, have had the same under consideration, a majority of whom would refer it back to the House with the recommendation that it do pass.

FRANK BINGHAM, Chairman.
N. H. MELDRUM,
J. M. NIMERICK.

Reports received.

The Joint Committee on Enrollment reported as follows:

MR. SPEAKER:—The Joint Committee on Enrollment, beg leave to report that they have examined House Bills No's 40 and 42, and find the same correctly enrolled, and they would further report that they presented House Joint Memorials No's 1 and 3, and Council Bills No's 63, 34, 36, 28, 30, and 49, to the Governor for his approval at 1:30 o'clock p. m., January 27th, 1876.

HOUSE JOINT COMMITTEE.

Report received.

State Historical and
Natural History Society.
DENVER, COLORADO.

Mr. Smith, of committee, submitted the following report:

MR. SPEAKER:—Your Committee on Territorial Affairs, report in lieu of H. B. No. 16, a substitute entitled "a bill for an act requiring County Commissioners to give bonds."

E. L. SMITH,
Chairman.

Report received.

Mr. Mills, of committee, submitted the following report:

MR. SPEAKER:—The Committee on the Judiciary to whom was referred House Resolution instructing said committee to report a bill providing for the payment of costs by attorneys where by their technical error, suits are thrown out of court, report the same back without recommendation, as the same interferes with existing laws. Your committee under the same resolution, was instructed to report "a bill compelling railroad companies to fence their track through enclosed farms," and accordingly report herewith a bill and recommend its passage.

WM. B. MILLS,
Chairman.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 28, 1876.

To the Honorable Speaker of the House of Representatives:

SIR:—I am instructed to inform your Honorable Body, that the Council has passed House Bill No. 43, with the following amendments, which are engrossed upon the bill: Insert in the fifth line of section one (1) before the word "German" the words "Spanish or," and in the same line after the word "language" the words "or both," strike out the word "this" before the word "act" in line "7," and insert in place thereof, the word "said;" insert in line 8, after the word "paper," the words "or papers;" insert in line 9, before word "German," the words "Spanish or," and at the end of word "language" in line 9 add the words "or both;" add the following words at the end of section 1: "provided that no such publication shall be made in more than one newspaper published in each of said

languages in any one county;" also insert "for" after the word "provided" in the 6th line of section 1. The concurrence of the House is requested in these amendments.

Very respectfully, your obedient servant,

JAS. T. SMITH,
Secretary.

COUNCIL CHAMBER,
DENVER, January 28, 1876.

To the Hon. Speaker of the House:

SIR: I am instructed to inform your Honorable Body that the Council has passed House Bill No. 13 and House Bill No 18, herewith returned; also that it has passed the following Council Bills, in which the concurrence of the House is requested: C. B. No. 32. for an act concerning costs in criminal cases; C. B. No. 70, for the destruction of wolves and coyotes.

Very respectfully, your obedient servant,

JAMES T. SMITH,
Secretary.

Mr. Yonley, of the committee, submitted the following report

MR. SPEAKER.—Your Joint Committee on Territorial School of Mines, would report that they visited the same, found the title correct and sufficient, the property in good condition and apparently well cared for, and would recommend that the sum of three thousand five hundred dollars be appropriated to be expended in additional fixtures, employing teachers and current expenses for the next two years.

J. H. YONLEY,
Chairman.

Report received.

The amendments proposed by the Council to H. B. No. 43, were considered.

On motion of Mr. Pisko, the House concurred in the amendments.

Bills were introduced as follows:

Mr. Sheldon introduced H. B. No. 77, "a bill for an act to enable the County Commissioners of El Paso county to borrow money for the purpose of building a court house."

Mr. McNutt introduced H. B. No. 78, "a bill to amend chapter 18 of theRevised Statutes."

Mr. Everitt introduced H. B. No. 79, "a bill for an act to amend the game law."

Mr. Yonley introduced H. B. No. 80, a bill for an act to change the time of elections in the town of Montezuma, Colorado."

Also by Mr. Yonley, H. B. No. 81, "an act to amend section 3, of chapter 65 of the Revised Statutes."

Mr. Kruse introduced H. B. No. 82, "a bill for an act to amend an act entitled an act to amend sections 27 and 30 of chapter 76 of the Revised Statutes of Colorado," approved February 6, 1872.

Mr. Smith introduced H. B. No. 83, "a bill for an act to provide for the collection and assessment of revenue of the moneys and credits of non-residents."

House Bills No's 77, 78, 79, 80, 81, 82, and 83, were read the first time.

Mr. Yonley moved the rules be suspended, that H. B's No's 80 and 81 be each read a second and third time, and be put upon their final passage.

Motion carried.

H. B. No. 80 was read the second and third time, and put upon its final passage.

The vote stood as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Raud, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—21.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 81 was read the second and third times.

Mr. Smith moved the bill be referred to the Committee of the Whole.

Motion carried.

So referred.

House Bills No's 77, 78, 79, 82 and 83, were referred to the Committed on Printing.

S. C. B. No 18 was read the second time.

On motion of Mr. Peyton, referred to Judiciary Committee.

Sub. C. B. No. 12, C. B's No's 8, and 9, and sub. C. B. No. 26 were read second time.

Referred to the Committee of the Whole.

Sub. C. B. No. 4, was read second time.

On motion of Mr. McNutt, referred to the Judiciary Committee.

H. B. No. 73 was taken up for second reading.

On motion of Mr. Marshall read the second time by title, and on motion of Mr. Smith referred to the Committee on Territorial Affairs.

H. B. No. 74 was read second time.

On motion of Mr. Rand referred to the Committee on Finance, Ways and Means.

H. B. No. 76 was read second time.

On motion of Mr. Marshall referred to the Committee on Territorial Prisons.

H. B. No. 51, as reported by the Finance, Ways and Means Committee, was considered.

On motion of Mr. Mills the report was adopted, and the substitute reported by the committee ordered printed.

Sub. H. B. No. 5, as reported upon by the Committee on Railroads, was considered.

Mr. Yonley moved the report be adopted.

Mr. Marshall moved it be laid on the table.

Moiton lost.

Question being on the motion of Mr. Yonley, carried, and the report adopted.

On motion of Mr. Mills the bill was ordered engrossed as amended.

On motion of Mr. Peyton the report of the Committee on Stock on H. B. No 75, was adopted.

The report of the Judiciary Committee on House Resolutions instructing said committee to report a bill touching the liability of attorneys at-law. and also to report a bill compelling railroad companies to fence their track, was taken up for consideration.

Mr. Pisko moved the adoption of the first part of the report.

Motion withdrawn.

Mr. Pisko now moved the report be adopted.

Motion carried, and the bill reported by the committee.

H. B. No. 84, "a bill for an act concerning railroads," was read first time and referred to Printing Committee.

Sergeant-at-arms announced a message from the Governor by the hand of his Private Secretary.

The Secretary announced that the Governor had approved and signed House Joint Memorials No's 1 and 2; also House Joint Resolution No. 1.

The report of the Committee on Stock on C. B. No. 72, was on motion of Mr. Meldrum adopted.

Mr. Smith moved that when the House adjourns, it adjourn until 3 o'clock p. m.

Mr. McNutt moved to amend by saying 2 o'clock p. m.

Mr. Smith moved by saying 2:30.

Amendment withdrawn.

Motion carried.

House so adjourned.

AFTERNOON SESSION—3 o'clock.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

H. B. No. 16, as reported on by the Committee on Territorial Affairs, was considered.

On motion of Mr. Sheldon the report was adopted.

C. B. No. 57 was read third time.

Mr. McNutt moved the further consideration of the bill be indefinitely postponed.

Ayes and Noes demanded.

Those voting aye were Messrs. Apadaca, Bingham, Everitt, Jaramilla, Kruse, Larned, Meldrum, McNutt, Peyton, Rettberg, Sheldon, and Mr. Speaker—12.

Noes—Messrs. Mills, McShane, Marshall, Nimerick, Pisko, Rand, Smith, Sanchez, Yonley—9.

So the bill was indefinitely postponed.

C. B. No. 65 was read third time.

Mr. McNutt moved that further action be indefinitely postponed.

Motion carried.

C. B. No. 55 was read third time.

On motion of Mr. Mills put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith Sheldon, Sanchez, Yonley, and Mr. Speaker—21.

Noes—None.

So the bill passed, title agreed to.

Mr. Pisko moved the rules be suspended, and leave granted him to introduce a resolution.

Mr. Pisko introduced the following resolution:

Resolved, by the House of Representatives of Colorado Territory, That the Spanish-speaking members, Messrs Apadaca, Gurule and Jaramilla, are hereby authorized to select an interpreter for their convenience, such interpreter after being sworn in to be the lawful interpreter from January 29, 1876, until the close of the Eleventh session of the Legislature, and to receive the same salary for the time above mentioned, which the present interpreter receives.

On motion of Mr. Sheldon adopted.

C. B. No. 48 was read the third time.

On motion of Mr. McNutt put upon its final passage

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Rand, Rettberg, Sanchez, and Mr. Speaker—16.

Noes—Messrs. Peyton, Smith, Sheldon, and Yonley—4.

Mr. McShane excused.

So the bill passed, the title agreed to.

Mr. Gurule was excused from further attendance during the afternoon.

C. B. No. 10 was read third time.

On motion of Mr. Pisko put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Everitt, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—20.

Noes—None.

So the bill passed, title agreed to.

C. B. No. 2 was read the third time.

Mr. Mills moved the bill be put upon its final passage.

Mr. Smith moved to amend that the bill be amended by inserting after the word "chancery," the words "which may be hereafter bought."

Carried, bill so amended, and put upon its final passage.

The vote resulted as follows.

Ayes—Messrs. Apadaca, Bingham, Everitt, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, McNutt, Nimerick, Pisko, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—19.

Noes—Messrs. Marshall and Peyton.

So the bill passed, title agreed to.

C. B. No. 3 was read third time.

On motion of Mr. McNutt put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Everitt, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rettberg, Sheldon, Sanchez, Yonley, Mr. Speaker—18.

Noes—Messrs. Bingham, Rand, and Smith—3.

So the bill passed, title agreed to.

C. B No. 7 was read third time.

Mr. McNutt moved further action on the bill be indefinitely postponed.

Carried and bill postponed.

C. B. 13 was read third time.

Mr McNutt moved to amend the bill by striking out sec. 2.

Mr. Smith moved to further amend by striking out sec. "2"

Withdrawn.

Mr. Smith now moved to amend section 1, by adding the following words: "Nor shall any engineer, conductor, superintendent or general agent actually employed, be required to serve as a juror."

Carried.

Mr. McNutt withdrew his motion.

On motion of Mr. Kruse the bill was now referred to the Judiciary Committee.

C. B. No. 52 was read third time.

Mr. Mills moved to amend sec. 3, by striking out the word "six" wherever it occurs, and insert the word "ten" in lieu thereof.

Carried; bill so amended.

Mr. Mills moved the bill as amended be put upon its final passage.

Motion withdrawn.

On motion of Mr. McNutt section 7 was stricken out.

On motion of Mr. Mills the bill was now put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Jaramilla, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—18.

Noes—Messrs. Kruse, Larned, and Peyton—3.

So the bill passed, title agreed to.

H. B. No. 75 was read third time.

On motion of Mr. Rettberg put upon its final passage.

Ayes—Messrs. Apadaca, Bingham, Everitt, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—20.

No—Mr. Smith.

The vote resulted as follows:

So the bill passed, title agreed to.

C. B. No. 62 was read third time.

On motion of Mr. Sheldon put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Rand, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—19.

Noes—None.

Messrs. Peyton and Rettberg excused from voting.

So the bill passed, title agreed to.

Mr. Sheldon moved the House take from the table H. B. No. 66.

Motion carried.

Mr Smith offered the following amendment to the bill:

"Provided, that the provisions of this act shall not apply in any case where the survivor of any deceased partner has heretofore in his capacity of surviving partner, settled the partnership business and affairs of such co-partnership."

Mr. Mills moved to further amend by striking out the last word and insert in lieu thereof, the word "partnerships."

Amendment accepted and motion as amended carried, and bill so amended.

On motion of Mr. Mills the bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, McNutt, Nimerick, Pisko, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—19.

Noes—Messrs. Marshall and Peyton—2.

So the bill passed, title agreed to.

H. B. No. 10 was read third time.

Mr. Rand moved to amend the bill as follows: Add to section 3 the following: "or to prevent any person from taking fish from his own lake or farm."

Carried; bill so amended.

Mr. Mills moved to amend the bill by striking out in section 1, the word "November" and insert the word "December," and strike out the word "May" and insert the word "June."

Carried; bill so amended.

Mr. Mills moved to amend the bill by striking out in line 9 of sec. 4, the word "county" and insert the word "common."

Carried; bill so amended.

Mr. McShane moved to amend in third line in section 1, by striking out the word "November," and insert in lieu thereof, the word "December."

Carried; bill so amended.

On motion of Mr. Pisko the bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Bingham, Everitt, Kruse, Larned, Mills, Meldrum, McShane, Marshall, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley and Mr. Speaker—17.

Noes—Messrs. Apadaca, Jaramilla, McNutt, and Nimerick—4.

So the bill passed, title agreed to.

H. B. No. 20 was read the third time.

On motion of Mr. McNutt the bill was amended by striking out section 2.

On motion of Mr. Rand put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—21.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 67 was read the third time.

Mr. Peyton moved to amend the bill by striking out "five hundred" and inserting "three hundred."

Mr. Marshall called for a division of the question.

Mr. Mills called for the ayes and noes.

The question now being on the motion to strike out "five hundred," the vote was as follows:

Ayes—Messrs. Bingham, Everitt, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, Peyton, Rand, Smith, Yonley, and Mr. Speaker—13.

Noes—Messrs. Apadaca, Mills, McNutt, Nimerick, Rettberg Sheldon, and Sanchez—8.

So the motion carried.

Mr. Smith now moved to amend motion of Mr. Peyton, by inserting "fifty" instead of "three hundred."

Lost.

Mr. Peyton moved the bill be put upon its final passage.

Mr. Marshall moved to amend that the bill be amended by striking out all after the word "taxation," and as so amended the bill be put upon its final passage.

Mr. Smith called for a division of the question.

The question to "strike out" was put and lost.

Question on motion to put on final passage, lost.

Mr Peyton moved to amend the bill by striking out the word "distinctive" in section 1, and to strike out section "2."

Mr. Marshall moved that the bill be indefinitely postponed.

Mr. Everitt called for the ayes and noes.

On the motion, those voting aye were Messrs. Apadaca, Jaramilla, Mills, McShane, Marshall. Pisko, Rand, Rettberg, Smith, Sheldon, Yonley—11.

Noes—Messrs. Bingham, Everitt, Kruse, Larned, Meldrum, McNutt, Nimerick, Peyton. Sanchez, and Mr. Speaker—10.

So the bill was indefinitely postponed.

S. H. B. No. 17 was read third time.

Mr. Rand moved the bill be laid on the table.

Lost.

Mr. Kruse moved the bill be put upon its final passage.

Motion withdrawn.

Mr. Marshall moved to amend the bill as follows: In sec. 82 strike out the words "fifty per cent."

Withdrawn.

Mr. Pisko moved to amend by adding to the bill, the following: add, and by striking therefrom in the tenth line thereof, the word "fifty," and insert in lieu thereof the word "fifteen."

Motion carried.

On motion of Mr. Rand the bill was referred to the Committee on Finance, Ways and Means.

S. H. B. No. 16 was read the third time, and on motion of Mr. Sheldon laid on the table for the time being.

Mr. Pisko moved the House adjourn.

Motion withdrawn.

On motion of Mr. Pisko the House adjourned.

TWENTY-SECOND DAY.

SATURDAY, January 29, 1876, 10 o'clock a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Apadaca, Gurule, Mills, Sheldon, and Trippe.

Quorum present.

On motion of Mr. Jaramilla, Messrs Apadaca and Gurule were excused.

Messrs. Mills and Sheldon appeared, and took their seats.

Mr. Marshall presented a petition from citizens of Lake county, asking the law relating to road overseers be amended.

The petition was read, and on motion of Mr. Marshall, referred to the Committee on Roads and Bridges.

Mr. Pisko submitted the following:

MR. SPEAKER:—Your Committee on Engrossment, to whom was referred H. B.'s No.'s 5 and 45, have examined the same, and find them correctly engrossed.

Respectfully submitted,
EDWARD PISKO,
Chairman.

Report received.

Mr. Krūse reported as follows:

MR. SPEAKER:—We, your Committee on Enrollment, beg leave to report back H. B.'s No 's 1, 13, 18, and 43, correctly enrolled.

FREDERICK KRUSE,
Chairman.

Report received.

Mr. Bingham reported as follows:

MR. SPEAKER:—Sir: The Joint Committee on Enrollment beg leave to report that they have examined C. B.'s No.'s 60, 59, 27, 47, 50, and 51, and H. B.'s No.'s 9 and 49, and find

them all correctly enrolled. They would also report that C. B.'s No.'s 60, 59, 27, 47, 50, and 51, were presented to the Governor for his approval at 2:15 o'clock, p. m., January 28, 1876.

FRANK BINGHAM,
Chairman House Joint Committee on Enrollment.

Report received.

Mr. Sheldon, of committee, submitted the following:

MR. SPEAKER:—Your Committee on Finance, Ways and Means, to whom was referred substitute for H. B. No. 17, have had the same under consideration, and beg leave to report the bill back to the House with amendments. Your committee recommend the passage of the bill, as amended.

Respectfully submitted,
EDWARD PISKO,
GEO. RAND.

Report received.

Under suspension of the rules, Mr. Smith offered the following resolution, and moved its adoption.

Resolved, That the chairmen of standing committees may hereafter, under the fifth order of the day, announce in open session the time and place of any proposed meeting of their several committees.

Resolution adopted.

Mr. Larned reported as follows:

MR. SPEAKER:—The Committee on Printing report back substitute H. B.'s No.'s 44 and 51, and H. B.'s No.'s 77, 78, 79, 82, 83, and 84, and they are believed to be correctly printed.

WM. LARNED,
Chairman.

Report received.

Mr. Kruse, of committee, submitted the following report:

REPORT OF JOINT COMMITTEE ON DEAF MUTE INSTITUTE.

To the Council and House of Representatives of Colorado Territory:

We, your Joint Committee, appointed to visit the Deaf Mute Institute, located at Colorado Springs, in this Territory, beg leave to report that we have examined into the affairs of said institute, and find that the trustees have erected on the donated ground, comprising thirteen acres, situated about one mile due east from the centre of said city, one substantial stone building, of a frontage of 43⅔ feet by 32⅔ feet deep, three stories high, consisting of basement, first floor, and second floor, subdivided into fourteen rooms, two of which are bath rooms. The building was constructed at a cost of five thousand dollars ($5,000). In order to accomplish this, the trustees were compelled to negotiate a loan for the above amount, at 12 per cent. per annum, and made themselves personally responsible for the payment thereof. Inasmuch as this action of the trustees was solely for the interest of the whole people of the Territory, and the property acquired thereby belongs to the people, therefore we recommend that the trustees of said institute be released from their obligations in regard to the above stated five thousand dollars loan and interest, and that the Territory of Colorado assume the indebtedness. Your committee found that the above described building is not large enough to afford suitable accommodation for its inmates for domestic and educational purposes combined, therefore it becomes necessary that a suitable school-house, of a probable cost of fifteen hundred dollars ($1,500), be erected on the ground above described. It is further necessary that suitable outhouses be erected, such as one stable and two privies.

Below we give an itemized account, based on a careful estimate, of all moneys required for the liquidation of the above-mentioned loan, the erection of the proposed school-house and out-buildings, for additional furniture, and for the necessary running expenses of the institution, etc.:

Money borrowed, for which the stone building was erected	$5,000 00
Two months' interest on $5,000, at 12 per cent. per annum.....	100 00
One school-house.....	1,500 00
Indebtedness on running expenses for fiscal year ending Dec. 31, 1875 ...	1,500 00

One stable	200 00	
Two privies	75 00	
For extra work on house, including area wall	100 00	
Salaries	2,600 00	
Maintenance, based on 25 persons	3,600 00	
Servant	300 00	
Books, stationery and postage	150 00	
Stoves, tinware and hardware	150 00	
Clothing indigent pupils	100 00	
Bedding and linen	200 00	
One printing press and type	400 00	
Three wardrobes, $15 each	45 00	
Two dozen chairs, $15 per dozen	30 00	
Fifty-five yards of carpet, at $1.50	82 50	
Sixty yards of matting, at $1	60 00	
Furniture for reception room	50 00	
School furniture (desks and book-case)	80 00	
School apparatus (maps, globes, etc)	70 00	
Two cows, $30 each	60 00	

RESOURCES.

January 1, 1876. Cash in the Territorial Treasury belonging to the Deaf Mute Fund		$523 45
January 1, 1876. At that date the Deaf Mute Fund had a credit on the Auditor's books of $12,449.00, consisting of assessed, but at that time uncollected, taxes. We think it safe to estimate that out of the above $12,449.00, ten thousand ($10,000) will be available for the year 1876, which makes the expenses stand $5,929.05 in excess of the resources. We, your committee, recommend that the sum of $5,929.05 be appropriated out of the moneys of the Territorial treas-		10,000 00
		5,929 05

ury, for the benefit of the Deaf Mute Institute, to cover the above-mentioned deficiency.

$16,452 50	$16,452 50

All of which is respectfully submitted,

J. H. EATON,
FREDERICK KRUSE,
J. M. NIMERICK,
Joint Committee.

Report received.

On motion of Mr. Rand, the rules were suspended, and the following bills were introduced without previous notice having been given, to-wit:

Mr. Rand introduced H. B. No. 85, "a bill for an act to amend an act entitled an act to provide for the assessment and collection of revenue," approved February 11, 1870.

Mr. Kruse introduced H. B. No. 86, "a bill for an act to provide for the further execution of the trust relating to the town site of the town of Idaho Springs, and to regulate the same."

Mr. Yonley introduced H. B. No. 87, "a bill for an act to establish a term of court in the county of Grand."

Mr. Smith moved the rules be further suspended, and H. B. No. 87 be read third time, and put upon its final passage.

Carried.

The bill was read third time, and the vote on its final passage resulted as follows:

Ayes—Messrs. Bingham, Duhme, Everitt, Jaramilla, Kruse, Larned, Mills, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—20.

No—Mr. Meldrum—1.

So the bill passed, title agreed to.

Mr. McNutt introduced H. B. No. 88, "a bill for an act to amend the revenue law."

Also H. B. No. 89, "a bill for an act to permit certain counties to build wagon roads."

Also H. J. M. No. 4, "a memorial to the Senate and House of Representatives of the United States, asking the mining law be amended."

H. B.'s No.'s 85, 86, 88, and 89, and H. J. M. No. 4, were read first time, and referred to the Printing Committee.

C. B. No. 32 was read the second time, and referred to the Committee of the Whole.

C. B. No. 70 was read second time.

Mr. Peyton moved to amend the bill by striking out "fifty cents," and inserting "one dollar" in lieu thereof.

Lost.

Mr. Jaramilla moved to insert after the word "coyote," the words "wild cat and bear," and to make the premium on such scalps "two dollars."

Mr. Sheldon moved to further amend by inserting the words "mountain lions."

Amendment lost.

Motion lost.

Mr. Peyton moved the bill be indefinitely postponed.

Lost.

The bill was referred to the Committee of the Whole.

S. H. B. No. 44 was read second time.

Mr. Rand moved the rules be suspended, the bill be read third time and put upon its final passage.

Carried.

The bill was read third time.

Mr. Mills moved to amend the bill by striking out the word "a," before county clerk, and insert the word "the"; also after the word treasurer, add the words, "of the county."

Carried, so amended.

Mr. McNutt moved to strike out "1875" wherever it occurs in the bill, and insert "1872."

Lost.

Mr. Mills moved to strike out the word "five," in sec. 3, and insert the word "six."

Carried, bill so amended.

Mr. Peyton moved to strike out the following words: "to meet at their respective county seats within ninety days after the passage of this act, at such special meeting they shall," and to insert in lieu thereof, after the word "divided," the words, "at their next regular meeting after March 1, 1876, to."

The bill was now put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Bingham, Everitt, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, Nimerick, Pisko, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley and Mr. Speaker —18.

No—Mr. McNutt—1.

So the bill passed, title agreed to.

H. B. No. 77 was read second time.

Mr. Sheldon moved to amend sec. 3, by adding after the word "board," where it last occurs, the words, "under the county seal."

Carried, so amended.

Bill referred to the Committee of the Whole.

H. B. No. 78 was read second time.

Mr. Sheldon moved to refer to the Judiciary Committee.

Mr. Pisko moved to amend by referring to Committee on Incorporation.

Amendment carried; so referred.

S. H. B. No. 51 was read second time.

Mr. Rand moved to refer to the Committee on Centennial.

Mr. Pisko moved to amend by referring to Committee of the Whole.

Amendment carried; so referred.

H. B. No. 79 was read second time.

Mr. Sheldon moved to amend the bill by inserting after the word "deer," the words "mountain buffalo."

Carried, so amended.

Mr. Peyton moved the rules be suspended, the bill be read third time, and put on its final passage.

Mr. Jaramilla moved the House adjourn.

Lost.

Mr. Pisko moved to adjourn until 2 o'clock p. m.

Lost.

Question now being on the motion of Mr. Peyton, was carried.

The bill was read third time.

Mr. Mills moved the House adjourn until 2 o'clock p. m.

Lost.

Mr. McNutt moved to amend, as follows: "Providing that this act shall not apply to San Juan, Hinsdale, La Plata, Lake, Park, Gilpin, or Las Animas.

Mr. Smith moved to further amend by striking out the title of the bill, and inserting the following: "A bill for an act to confer special privileges on strangers and tourists."

Amendment lost.

Motion lost.

On motion of Mr. Marshall, a call of the House was ordered.

The clerk called the roll.

On motion, further proceedings under the call were dispensed with.

Mr. Sheldon moved the previous question be put.

Mr. Marshall moved the House adjourn until 2 o'clock p. m.

Carried, so adjourned.

AFTERNOON SESSION—2 o'clock p m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Mr. Sheldon moved the rules be suspended, and the House take up the report of the Committee on the Deaf Mute Institute.

Motion carried.

On motion of Mr. Sheldon, the report was ordered printed.

H. B. No. 82 was read second time.

On motion of Mr. Kruse, referred to the Committee on Elections and Apportionments.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 29, 1876.

To the Honorable Speaker of the House of Representatives:

SIR:—I am instructed to inform your Honorable Body, that the Council has passed H. B.'s No.'s 29 and 33, herewith returned; also C. B No. 1, "for an act concerning the Probate Court of Gilpin county."

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

Mr. Marshall moved the rules be suspended, and H. B. No. 79 be taken up and put on its final passage.

Motion lost.

H. B. No. 83 was read second time.

On motion of Mr. Smith, referred to the Committee on Finance.

H. B. No. 84 was read second time.

Referred to Committee of the Whole.

The report of the Committee on Finance, on H. B. No. 17, was, on motion of Mr. Sheldon, adopted

S. H. B. No. 5 was read third time.

Mr. Sheldon moved to amend the bill by striking out the following, after the word "bonds," in sec. 2, viz: "Unless such County Commissioners, or Mayor, should have presented to them a remonstrance against such election, signed by a number of tax-payers equal to the petition."

Motion lost.

Mr. Marshall moved to amend the bill by striking out, in the 19th line, the words, "two thirds," and inserting the word "majority," in lieu thereof.

Lost.

On motion of Mr. Everitt the bill was now put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Nimerick, Pisko, Peyton, Rand, Smith, Sanchez, and Mr. Speaker—17.

Noes—Messrs. Marshall, McNutt, Sheldon, and Yonley—4.

So the bill passed, title agreed to.

H. B. No. 45 was read third time.

Mr. Pisko moved to amend by adding the following, as: Sec. 2. That there shall be added to the close of sec 18 of said act the following: "Any person owning real estate and listing the same, who may have borrowed money thereon, evidenced by mortgage or deed of trust recorded on the records of the county, shall be entitled to a deduction of the amount then remaining due upon said mortgage or trust deed, from the assessed value of said real estate; provided, he shall state upon his tax return the full and correct name of the person owning said mortgage or trust deed. If any person shall make the statement aforesaid upon his tax return, it shall be the duty of the assessor to assess the person owning the mortgage or trust deed for the amount then due upon said mortgage or trust deed; provided, said mortgage or trust deed has not already been listed by the parties owning the same; provided, also, that if at the time the tax on said real estate is collected by the County Treasurer, the tax on said mortgage or trust deed has not been paid, the County Treasurer shall collect said tax

from the owner of the real estate, securing said mortgage or trust deed, and the amount so paid on the mortgage or trust deed shall be a lawful set off against said mortgage or trust deed, or any note or bond secured by such mortgage or trust deed in whose hands soever the said mortgage or trust deed, or note or bond secured by mortgage or trust deed may be. It is further expressly provided that the tax levied upon such mortgage or trust deed shall in all cases be a lien upon the real estate securing the same, and when delinquent, said real estate may be sold for the purpose of the tax in the same manner as if the tax had been levied thereon."

Mr. Kruse moved to amend the amendment, by inserting in the fourth line thereof, after the word "deed," the words "note or notes," and thereafter add the same words after the word "deed," wherever it occurs in the amendment.

Amendment accepted.

Motion carried.

On motion of Mr. Pisko, the bill, as amended, was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Duhme, Everitt, Kruse, Larned, Meldrum, McNutt, Nimerick, Pisko, Rand, Smith, Sheldon, and Yonley—12.

Noes—Messrs. Apadaca, Bingham, Gurule, Jaramilla, Mills, McShane, Marshall, Peyton, Sanchez, and Mr. Speaker—10.

So the bill did not pass.

S. H. B, No. 17 was read third time.

Mr. Peyton moved to amend the bill by striking out the words "fifteen per cent." wherever they occur, and insert "twenty-five per cent." in lieu thereof.

Lost.

On motion of Mr. Everitt, the bill was put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Everitt, Gurule, Jaramilla, Larned, Meldrum, Marshall, Nimerick, Pisko, Rand, Smith, Sheldon, Sanchez, and Mr. Speaker—14.

Noes—Messrs. Bingham, Duhme, Kruse, Mills, McNutt, Peyton, and Yonley—7.

So the bill passed, title agreed to.

A verbal message, made by the Private Secretary of the Governor, informing the House that the Governor had approved and signed H. B.'s numbered nine (9), forty (40), and forty-two (42), was received.

The House now went into Committee of the Whole on General Orders of the Day.

Mr. Bingham in the Chair.

After a time the committee arose, and reported the following:

MR. SPEAKER:—The Committee of the Whole have had under consideration H. B. No. 68, and recommend it be amended by inserting the word "and," between the word "lots" and the word "lands," in 6th line of bill; also in same section, after the word "an," and before the words "of Congress," insert the werd "act." Also add the following, to be called Sec. "2": "Sec. 2. All lots and lands within said town site for which deeds shall not have been issued to claimants, may be sold by, and with the consent of the City Council of said city of Black Hawk, by the Mayor thereof, provided he shall first give thirty days notice of the time and place of such sale, and such sales shall be by lots and parcels, to the highest bidder, for cash. But no sale shall be made for a less sum than ten dollars for four thousand square feet of ground, or for a less amount, and at the same rate for a larger amount, and such sale shall continue from day to day as long as there are bidders. If any lots or parcels of land shall still remain unsold, it shall be lawful for said Mayor to sell the same by, and with the consent of said City Council of Black Hawk, at private sale, provided none shall be sold for a less sum than the price aforesaid, and none shall be sold which have been set apart and reserved for any public use." And change the number of sections 2 and 3, to sections 3 and 4 respectively, and that as so amended it do pass. Also H. B. No. 70, and report the same back to the House, with the recommendation that it do not pass: H. B. No. 71, and report the same back to the House, and recommend it do pass.

FRANK BINGHAM,
Chairman.

On motion, the report was adopted.

On motion of Mr. Mills, all bills reported on favorably by the Committee of the Whole were ordered engrossed.

Mr. Marshall moved that when the House adjourns, it stand adjourned until seven o'clock this evening.

Lost.

On motion of Mr. Duhme, the House adjourned.

TWENTY-THIRD DAY.

MONDAY, January 31, 1876, 10 a. m.

House met at 10 o'clock a. m.
Speaker in the chair.
Roll called.
Absent—Messrs. Kruse, McShane, Patterson, and Trippe.
Quorum present.
On motion, Messrs. Kruse, Patterson, and Trippe were excused.
Mr. Jaramilla stated that Mr. Dominguez, the interpreter employed by authority of the House, was present, and asked that the oath of office be administered to him.
Mr. Dominguez came forward, and the oath was administered by the Speaker.
Journal read and approved.
During the reading of the Journal, Mr. McShane appeared, and took his seat.

The following message was received from the Council:

COUNCIL CHAMBER;
DENVER, January 31, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has concurred in House amendment to C. B. No. 2; also that the Council has amended House amendment to sec. 3 of C. B. No. 52, by striking out the words "seventh line," and inserting "eighth line" in place thereof. The concurrence of the House is requested.

Very respectfully, your obedient servant,
JAS. T. SMITH,
Secretary.

Mr. Mills, of committee, submitted the following reports:

MR. SPEAKER:—Your Committee on Judiciary, having had under consideration Substitute for C. B. No. 18, recommend that said bill be amended by striking out, in sec. 2 of said act, the words, "which shall be a special *Fieri Facias*," and that after being so amended the same do pass.

WM. B. MILLS,
Chairma

MR. SPEAKER:—The Committee on Judiciary having had under consideration C. B. No. 13, respectfully report that the committee recommend that said bill be amended by striking out the words, "or shall have been without the Territory during any past term of court," in sec. 2 of said act, and that, after being so amended, the same do pass.

WM. B. MILLS,
Chairman.

MR. SPEAKER.—Your Committee on Judiciary, having had under consideration C. B. No. 33, recommend that said act be amended by striking out the word "La Plata," in line 17 of sec. 1 of said act, and inserting in lieu thereof the word "San Juan," and that after being so amended, the same do pass.

WM. B. MILLS,
Chairman.

Reports received.

Mr. Sheldon, submitted the following report:

MR. SPEAKER:—Your Committee on Finance, Ways and Means, to whom was referred H. B. No. 85, have considered the same, and beg leave to recommend its passage; also H. B. No. 77, which they report favorably.

Respectfully submitted,

A. Z. SHELDON,
Chairman.

Report received.

Mr. Pisko, of committee submitted the following report:

MR. SPEAKER:—Your Committee on Engrossment, to whom was referred House bills No.'s 68 and 71, beg leave to report that have examined the same, and find them correctly engrossed, as amended.

Respectfully submitted,

EDWARD PISKO,
Chairman.

Report received.

Mr. Bingham submitted the following report:

MR. SPEAKER:—Your Joint Committee on Enrollment, beg leave to report that they have examined the enrollment of H. B.'s No.'s 13, 18, 43, and 1, and find the same to be correct; also that H. B.'s No.'s 9, 49, 40, and 42, were presented to the Governor for his approval, at 2 o'clock p. m., July 29, 1876.

FRANK BINGHAM,
Chairman House Joint Committee on Enrollment.

Report received.

Mr. Smith submitted the following report:

MR. SPEAKER:—Your Committee on Territorial Affairs beg leave to report that they have had under consideration H. B.'s No.'s 52 and 69, and recommend their passage, as amended, by your committee.

Respectfully submitted,
E. L. SMITH,
Chairman.

Report received.

Mr. Larned submitted the following report:

MR. SPEAKER:—The Committee on Printing report back report of Joint Committee on Deaf Mute Institute, H. J. M. No. 4, and H. B.'s No.'s 85, 86, 88, and 89, and they are believed to be correctly printed.

WM. LARNED,
Chairman.

Report received.

Mr. Peyton submitted the following report:

MR. SPEAKER:—Your Committee on Enrollment report back H. B. No. 33, correctly enrolled.

I. N. PEYTON.

Report received.

On motion of Mr. Smith, the amendment proposed by the Council to the House amendment to C. B. No. 52, was concurred in.

By unanimous consent, Mr. Mills introduced H. B. No. 90, "a bill for an act entitled an act for the compensation of R. S. Wilson, for the feeding, clothing, and guarding of prisoners convicted of offenses against the Territorial laws."

Read first time, and referred to the Committee on Printing.

Mr. Meldrum introduced H. B. No. 91, "a bill for an act to amend chap. 53 of the Revised Statutes of Colorado."

Under suspension of the rules, Mr. Peyton, without previous notice, introduced H. B. No. 92, "a bill for an act to repeal sections 22, 25, and 27 of an act concerning electors," approved February 13, 1874.

Mr Jaramilla introduced H. B. No. 93, "a bill for an act in relation to the Probate Court of Las Animas county."

Mr. Marshall introduced H. B. No. 94, "a bill for an act to reimbuse Park county."

H. B.'s No.'s 91, 92, 93, and 94, were read first time.

On motion of Mr. Marshall, the rules were suspended, and H. B. No. 94 was read second time, and referred to the Committee on Counties and County Lines."

H. B.'s No.'s 91, 92, and 93, were referred to the Committee on Printing.

C. B. No. 1 was read second time, and reserred to the Committee of the Whole.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 31, 1876.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has passed C. B. No. 66, "for an act to amend an act entitled 'an act to amend an act entitled an act to reduce the law incorporating the city of Denver,' and the general acts amendatory thereto, into one act, and to amend the same"; also C. B. No. 98, "for an act to incorporate the town of Trinidad"; also C. B. No. 14, "for an act to amend chap. 70 of the Revised Statutes, entitled 'Practice'"; also C. B. No. 16, "for an act in regard to bonds given in legal and equitable proceedings"; also C. B. No. 23, "for an act to amend chap. 26 of the Revised Statutes, entitled 'Divorce and Alimony.'"

Very respectfully, your obedient servant,
JAMES T. SMITH,
Secretary.

Mr. Pisko moved the rules be suspended, and that C. B. No. 98 be read second time at length, the third time by title, and put upon its final passage.

Motion carried.

The bill was read second and third times.

The vote, on its final passage, resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 85 was read second time.

On motion of Mr. Rand, referred to Finance Committee.

H. B.'s No.'s 86 and 89 read second time, and referred to the Committee of the Whole.

H. B. No. 88 read second time.

On motion of Mr. Rand, referred to the Committee on Finance.

H. J. M. No. 4 was read second time.

On motion of Mr. McNutt, the rules were suspended, the memorial read third time, and put upon its final passage.

The vote resulted as follows.

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Jaramilla, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—19.

No—Mr. Rand—1.

Excused from voting—Messrs. Gurule and Smith.

So the memorial passed, title agreed to.

S. H. B. No. 18, as reported on by the Committee on Judiciary, was considered.

On motion of Mr. Mills, the report was accepted, and the bill ordered engrossed.

The report of the Committee on Judiciary, on C. B. No. 33, was, on motion, adopted.

The report of the Judiciary Committee on C. B. No. 13 was, on motion of Mr. Meldrum, adopted.

On motion of Mr. Peyton, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.

The report of the Committee on Finance, on H. B. No. 83 was, on motion of Mr. Bingham, adopted.

The report of the same committee, on H. B. No. 77, was, on motion of Mr. Peyton, adopted.

The report of the Committee on Territorial Affairs, on H. B. No. 52, and H. B. No. 59, was considered.

On motion of Mr. Mills, the bill, as amended by the committee, was referred to the Committee of the Whole.

C. B. No. 13 was read third time, the question being on the final passage of the bill.

Mr. McNutt moved sec. 3 be stricken out.

Carried.

Mr. McShane moved to amend the bill.

Mr. Pisko moved the previous question be put.

Carried, and the bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Sheldon, Sanchez, and Mr. Speaker—20.

Noes—Messrs. Smith and Yonley—2.

So the bill passed, title agreed to.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, January 31, 1876.

To the Hon. Speaker of the House.

SIR: I am instructed to inform your Honorable Body that the Council has passed H. B.'s No.'s 14, 19, and 48, herewith returned; also C. B. No. 26, "for an act in regard to change of names"; also C. B. No. 62, "for an act to amend an act entitled an act to secure liens to mechanics and others, and to repeal all other acts in relation thereto," approved February 9, 1872; also C. B. No. 84, "for an act to amend an act en-

titled an act concerning elections." The concurrence of the House is requested.

Very respectfully, your obedient servant,

JAS. T. SMITH,
Secretary.

A verbal communication was made by the Private Secretary of the Governor, informing the House that His Excellency had approved and signed H. B.'s No.'s 1, 13, 18, and 43.

Sub. C. B. No. 18 was read third time and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Jaramilla, Larned, Mills, McShane, Marshall, McNutt, Pisko, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—14.

Noes—Messrs. Bingham, Everitt, Meldrum Nimerick, Peyton, and Rand—6.

Mr. Duhme excused from voting.

So the bill passed, title agreed to.

On motion of Mr. Mills, the vote by which the House refused to pass H. B. No. 45, was reconsidered.

Mr. Pisko now moved to amend the bill by striking out the amendment proposed by Mr. Kruse, and adopted by the House on the 29th inst.

Motion carried.

Mr. Marshall moved further action on the bill be indefinitely postponed.

Lost.

Mr. Pisko moved further consideration of the bill be postponed until Thursday next.

Mr. McShane moved to amend by saying until February 10.

Amendment lost.

Mr. Marshall moved the bill be laid on the table.

Lost.

The question now being on the motion to postpone until Thursday next, was carried.

H. B. No. 68 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—21.

Noes—None.

Mr. Smith was excused from voting.

So the bill passed, title agreed to.

H. B. No. 71 was read third time.

Mr. Sheldon offered a substitute bill, entitled, "an act to abolish the office of Territorial assayer, and to repeal all laws appertaining thereto," and moved the rules be suspended, and the substitute be adopted in lieu of the original bill.

Motion carried; substitute adopted.

The question was now on the final passage.

Mr. Marshall moved to amend the substitute by adding the following: "And an act entitled an act to establish a school of mines at or near Golden, Jefferson county, Colorado, be, and the same is hereby repealed."

Mr. McShane moved to further amend, by adding the following: "Provided this act shall not apply to the county of Gilpin."

Mr. Smith arose to a point of order, and called the attention of the House to Rule 50, requiring that no law shall embrace more than one subject, which shall be embraced in its title.

The Speaker decided the point of order well taken, and the amendments were ruled out.

Mr. Sheldon moved the previous question be put.

Carried.

So the substitute bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Mills, Meldrum, Nimerick, Pisko, Peyton, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—15.

Noes—Messrs. Jaramilla, McShane, Marshall, McNutt, Rand and Rettberg—6.

So the bill passed, title agreed to.

H. B. No. 70 was read third time.

Mr. McNutt moved the bill be laid on the table.

Motion carried.

Mr. Marshall moved that H. B. No. 22, laid on the table under the 12th order, on the 20th inst., be taken up.

Motion carried, and the bill was read and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—21.

Noes—None.

So the bill passed, title agreed to.

Mr. Mills moved H. B. No. 47, laid on the table under the 13th order, on the 22nd inst., be taken up.

Motion carried.

Mr. Pisko moved the bill be referred to the Committee of the Whole.

Mr. Peyton moved to amend by referring to the Committee on Judiciary.

Amendment carried; so referred.

Under the order of unfinished business of preceding day, H. B. No. 79 was taken up, the question being upon the final passage of the bill.

Mr. Marshall moved to amend the bill by inserting before the word "deer" the words "white tail."

Motion lost.

Mr. Rand moved to amend, by striking out "15th," in 14th line, and inserting "1st" in lieu thereof.

Carried.

Mr. Yonley moved to amend by striking out "October," and inserting "November" in lieu thereof.

Lost.

Mr. Peyton moved the previous question be put.

Motion withdrawn.

Mr. Smith moved the bill be referred to a special committee, to consist of the representatives from the counties of Summit, Park, Saguache, and La Plata.

Mr. Jaramilla moved to so amend that the committee should include the member from Las Animas county.

Amendment accepted.

Motion, as amended, carried.

Bill so referred.

The House now went into Committee of the Whole on General Orders of the Day.

Mr. Rand in the Chair.

After a time the committee arose, and reported as follows:

MR. SPEAKER:—The Committee of the Whole have had under consideration H. B. No. 84, and report the same back to the House, and recommend it be referred to the Committee on Territorial Affairs.

C. B. No. 17, and report same back to the House, with the recommendation it be placed on file for third reading.

GEO. RAND,
Chairman.

Report received.

Mr. McNutt moved that when the House do adjourn, it adjourn until 7 o'clock p. m.

Carried.

Mr. Pisko moved the House adjourn.

Lost.

On motion of Mr. Rand, the House adjourned.

EVENING SESSION—7 o'clock.

House met pursuant to adjournment.

Roll called.

Quorum present.

Mr. Pisko moved the House go into Committee of the Whole on the unfinished business on general file.

Motion carried.

House went into Committee of the Whole.

Mr. Pisko in the chair.

After a time the committee arose, and reported as follows:

MR. SPEAKER:—The Committee of the Whole have considered S. H. B. No. 51, and recommend it be amended as follows: Amend sec. 1, by adding thereto, as follows: "Provided that the said sum of $7,500, or so much thereof as shall be necessary, shall be first applied to the following purposes, and in the following order: 1, for heating apparatus; 2, for gas fixtures and pipes; 3, for water pipes laid from town to University; 4, for out-buildings and sewerage; 5, for services of architect and superintendent; 6, for fencing the grounds of the University." Amend sec. 4, by striking out the words, "purchasing apparatus." Amend sec. 10, by striking out all after the word "Treasurer," and insert the word "Territorial" before the word "Auditor," wherever it occurs in the section. Also strike out sec. 11, and insert the following in lieu thereof, to be sec. 11, the following: "The Board of Trustees of said University shall charge a reasonable tuition fee for all pupils, both male and female, who may be admitted to said institution," and strike out sec. 12, and as so amended the bill do pass.

H. B. No. 38, and recommend it be amended as follows: "Strike out all below third line of 3rd sec., after the word 'institute,' when it first occurs, and insert as follows: 'And all monies received by said institution from the Deaf Mute tax exceeding six thousand dollars per annum shall be paid back into the Treasury of the Territory until such a sum as is provided for in sec. 2 of this act is returned,'" and as so amended it do pass.

C. B. No. 15, and recommend it be amended by striking out, in sec. 1, the words, "party defendant," and insert the word "debtor," in lieu thereof, and as so amended the bill do pass.

H. B. No. 81, and report same back to the House, and recommend it do pass.

S. C. B. No. 12, and report same back, and recommend it be referred to the Judiciary Committee.

C. B. No. 8, and report the same back to the House, without recommendation.

C. B. No. 9, and report the same back, without recommendation.

S. C. B. No. 26, and report the same back, and recommend it do pass, as amended.

EDWARD PISKO,
Chairman

On motion of Mr. McNutt, the House adjourned.

TWENTY-FOURTH DAY.

TUESDAY, February 1, 1876.

House met at 10 o'clock a. m.

Speaker in the chair.

Roll called.

Absent—Messrs. Apadaca and Sheldon.

Quorum present.

Journal read and approved.

During the reading of the journal, Messrs. Apadaca and Sheldon appeared and took their seats.

Mr. Rand presented a petition asking the passage of a law to encourage the establishment of a beet sugar manufactory.

Read and referred to the Committee on Territorial Affairs

Mr. Rand presented a petition from the citizens of Boulder county, asking that the act relating to fees and salaries in Arapahoe county be made to apply to the county of Boulder.

Read and referred to the Committee on Territorial Affairs.

Mr. Smith presented a petition signed by several hundred, asking that the lien law be amended.

Read and referred to Territorial Affairs Committee.

Mr. Kruse presented a petition asking the boundary lines of Boulder county be changed.

Read and referred to the Committee on Counties and County Lines.

Mr. Pisko submitted the following report:

MR. SPEAKER:—Your Committee on Engrossment, to whom was referred House Bill No. 74, beg leave to report that they have examined the same and find it correctly engrossed.

Respectfully submitted,

EDWARD PISKO,
Chairman.

Report received.

Mr. Pisko submitted the following report:

MR. SPEAKER:—Your Committee on Printing to whom were referred House Bills No's 90, 91, 92, 93, beg leave to report them back to the House, and your committee believe them to be correctly printed.

Respectfully submitted,

EDWARD PISKO,
For Chairman of Committee on Printing.

Report received.

Mr. Kruse submitted the following report:

MR SPEAKER:—Sir:—Your Committee on Enrollment beg leave to report back House Bills 14, 19, 26, and 48, correctly enrolled.

FREDERICK KRUSE,
Chairman of Committee on Enrollment.

Report received.

Mr. Bingham reported as follows.

MR. SPEAKER:—The Joint Committee on Enrollment beg leave to report that House Bills No's 1, 13, 18, and 43, were presented to the Governor for his approval at 12 o'clock m. January 31, 1876.

FRANK BINGHAM,
Chairman House Joint Committee.

Report received.

Mr. Smith reported as follows:

MR. SPEAKER:—Your Committee on Territorial Affairs have considered H. B. No. 59, and report the same back with a negative recommendation.

Respectfully,

E. L. SMITH,
Chairman.

Report received.

Mr. McShane submitted the following report:

MR. SPEAKER:—We, your Committee to whom was referred House Bill No. 76, have had the same under consideration, and beg leave to report same back to the House with the recommendation that it do pass

J. C. McSHANE,
Chairman Territorial Prisons.

Report received.

On motion of Mr. Smith, the report of the Committee of the Whole, submitted at yesterday's evening session, was adopted.

On motion of Mr. Pisko, the bills reported upon favorably in said report were ordered engrossed.

Bills were introduced as follows:

Mr. Duhme introduced H. B. No. 95, "a bill for an act authorizing the County Commissioners of Huerfano county to levy a special tax to build a court house."

Read first time and referred to Printing Committee.

Mr. Yonley introduced H. B. No. 97, "a bill for an act to provide and construct a wagon road from Hall Valley in Park county to Montezuma in Summit county, Colorado."

Read first time.

On motion of Mr. Yonley, the rules were suspended and the bill read a second time, and referred to the Committee of the Whole.

C. B. No. 84 was read second time.

On motion of Mr. Kruse, referred to the Committee on Elections and Apportionment.

C. B's No's 62 and 16 read second time, and referred to the Committee of the Whole.

C. B. No. 56 was read seeond time.

Mr. Pisko moved the rules be suspended, the bill be read a third time, and put upon its final passage.

Motion carried.

The bill was read a third time.

Mr. Marshall moved to amend the bill by inserting the word "Probate" after the word "District."

Carried, bill so amended.

The vote on the final passage resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—21.

Noes—None.

So the bill passed, title agreed to.

S. C. B. No. 66 was taken up for second reading

Mr. Pisko moved the rules be suspended, the second reading be dispensed with, and the bill referred to a special committee of five (5), three of whom shall be the members from Arapahoe county.

Motion carried.

The Chair appointed Messrs. Pisko, Mills, Smith, McShane, and McNutt as such committee.

C. B. No. 23 was read second time.

Mr. Jaramilla moved to amend section 1, by adding the following and by inserting after the word "wife" in the eleventh line the words "or that a wife has willfully deserted and absented herself from her husband."

Carried.

On motion of Mr. Pisko the bill was referred to the Judiciary Committee.

A message from the Governor, delivered by his Private Secretary, informed the House that his Excellency had approved and signed H. B. No. 49.

C. B. No. 14 was read the second time.

On motion of Mr. Mills referred to the Committee on Judiciary.

H. B. No. 90 was read second time.

Mr. Mills moved it be referred to the Committee on Finance,

Ways and Means, with authority to send for persons and papers if they deem necessary.

Motion carried.

H. B. No. 91 was read the second time.

On motion of Mr. Meldrum referred to the Committee on Territorial Affairs.

H. B. No. 92 was read second time.

Mr. McNutt moved to refer to the Committee on Judiciary.

Mr. Peyton moved to amend by referring to the Committee of the Whole.

Mr. Marshall moved to further amend by referring to the Committee on Elections and Apportionments.

Lost.

The question being on the motion of Mr. Peyton carried, and bill referred to the Committee of the Whole.

H. B. No. 93 was read second time.

Mr. Smith moved to amend by adding the following to the bill: "Provided that after the next general election, the Probate Judge of the said Probate court shall be an attorney in good standing, who shall have practiced at least two years prior to his election."

Lost.

Bill referred to the Committee of the Whole.

The report of the Committee on Territorial Affairs on H. B. No. 59 was, on motion of Mr. Kruse adopted.

The report of the Committee on Territorial Prisons on H. B. No. 76 was considered.

Mr. Kruse moved the report be adopted.

Mr. Mills moved to amend by referring the bill and report to the Committee of the Whole.

Amendment carried; so referred.

C. B. No. 8 was read third time.

On motion of Mr. Smith further consideration of the same was indefinitely postponed.

C. B. No. 17 was read third time.

Mr. McNutt moved further action on the bill be indefinitely postponed.

Mr. Smith called for the ayes and noes on the question.

Those voting aye were Messrs. Apadaca, Bingham, Everitt, Gurule, Kruse, Mills, Meldrum, McNutt, Nimerick, Pisko, Rettberg, Sheldon, and Mr. Speaker—13.

Noes—Messrs. Duhme, Jaramilla, McShane, Marshall, Patterson, Peyton, Rand, Smith, and Yonley—9.

Mr. Sanchez excused from voting.

So the bill was indefinitely postponed.

C. B. No. 9 was read the third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Gurule, Jaramila, Kruse, McShane, McNutt, Nimerick—9.

Noes—Messrs. Everitt, Mills, Meldrum, Marshall, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, and Yonley—13.

Mr. Speaker excused from voting.

So the bill did not pass.

On motion of Mr. Bingham the House adjourned until two (2) o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

The Committee on Enrollment submitted the following report:

MR. SPEAKER:—We, your Committee on Enrollment, beg leave to report back H. B. No. 63 correctly enrolled.

F. KRUSE,
Chairman.

Report received.

The following communication was received from the Council:

COUNCIL CHAMBER,
DENVER, February 1. 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has passed H. B. No. 63, herewith returned.

Very respectfully, your obedient servant,

JAS. T. SMITH,
Secretary.

C. B. No. 33 was read the third time.

Mr. Smith moved to amend section 3, by inserting after the words "District Courts" in second line, the words "upon change of venue or otherwise" and to amend section 4 by adding after the word "issued" the words "or publication had," and add to section 4 the following: "And this act shall apply to recognizances taken in all criminal cases pending on change of venue or otherwise."

Carried, bill so amended, and put upon its final passage.

The vote resulted as follows:

Ayes — Messrs. Apadaca, Duhme, Everitt, Gurule, Jaramilla, Kruse, Mills, Meldrum, McShane, McNutt, Marshall, Nimerick, Pisko, Patterson, Rand, Rettberg, Smith, Sheldon, Yonley, and Mr. Speaker—20.

Noes—None.

So the bill passed, title agreed to.

Mr. Pisko reported as follows:

MR. SPEAKER:—Your Committee on Engrossment to whom was referred House Bill No. 81, and Council Bill No. 15 and substitute for Council Bill No. 26, beg leave to report that they have examined the same, and find them correctly engrossed as amended.

Respectfully submitted,
EDWARD PISKO,
Chairman.

Report received.

Mr. Sanchez was excused from further attendance during the afternoon.

H. B. No. 74 was read third time.

On motion of Mr. McNutt, further action on the bill was postponed until to-morrow, under same order of business.

The following messages were received from the Council

COUNCIL CHAMBER,
DENVER, February 1, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has concurred in House amendments to C. B. No.

13, and substitute for C. B. No. 18; that the Council has passed substitute for H. J. M. No. 3, herewith returned; that the Council has amended H. B. No. 55, by adding at the end of sec. 1, the words, "when employed as such," and passed the bill, as amended. The concurrence of the House as to the amendments is requested; bill herewith returned. That the Council has amended H. B. No. 72, by inserting after the word "Keziah," in first line of sec. 1, the words "Cook formerly Keziah," and has amended the title of said act by striking out the letter "C" and word "Wildeboor," and inserting in place thereof the word "Cook," and that it has passed the bill, as amended. The concurrence of the House as to the amendments is requested; bill herewith returned. That the Council has refused to pass H. B. No. 61. That the Council has passed C. B. No. 99, "for an act to amend an act entitled 'an act concerning libraries,' approved February 8, 1872." The concurrence of the House is requested; bill herewith transmitted.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

COUNCIL CHAMBER,
DENVER, February 1, 1876.

To the Honorable Speaker of the House of Representatives:

SIR:—I am instructed to inform your Honorable Body that the Council has passed C. B. No. 19, "for an act to amend chap. 6 of the Revised Statutes, entitled 'Attachments.' The concurrence of the House is requested; bill herewith transmitted.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

H. B. No. 81 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Rand, Rettberg, Smith, Sheldon, Yonley, and Mr. Speaker—21.

Noes—None.

So the bill passed, title agreed to.

The House now went into Committee of the Whole on General Orders of the Day.

Mr. Mills in the chair.

During the session of the committee, a communication was received from the Governor, delivered by his Private Secretary, informing the House that His Excellency had approved and signed H. B. No. 63.

After a time the committee arose, and reported as follows:

MR. SPEAKER:—The Committee of the Whole have had under consideration H. B. No. 56, and report the same back to the House, and recommend it be made the special order of the day for Thursday next, in the afternoon.

C. B. No. 32, and recommend it be amended in sec. 2, by striking out, in the second line, the word "sufficient," and insert in lieu thereof the word "probable," and that as so amended it do pass.

C. B. No. 70, and report the same back to the House, without recommendation.

H. B. No. 77, and recommend it be amended by adding a section, to be numbered sec. 6, and to read as follows: "The operation of this act shall be limited to one year from and after its passage," and as so amended it do pass.

C. B. No. 1, and report the same back to the House, and recommend it do pass.

H. B. No. 86, and report same back, and recommend it do pass.

H. B. No. 89, and report same back, and recommend it do pass.

H. B. No. 52, and recommend it be amended by striking out sec. 4, and as so amended it do pass.

WM. B. MILLS,
Chairman.

On motion of Mr. Sheldon, the report was adopted.

On motion of Mr. Mills, all bills reported upon favorably by the committee, were ordered engrossed.

On motion of Mr. Smith, the House adjourned.

State Historical and
Natural History Society,
DENVER, COLORADO.

TWENTY-FIFTH DAY.

WEDNESDAY, February 2, 1876, 10 o'clock a. m.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Journal read and approved.
Mr. McNutt, of committee, submitted the following reports:

MR. SPEAKER:—Your Committee on Mines and Mining have had C. B. No. 64 under consideration, and beg leave to report the same back, with favorable recommendation.

MR. SPEAKER:—Your Committee on Mines and Mining have had H. B. No. 60 under consideration, and beg leave to report the same back, without recommendation.

Respectfully,
R. J. McNUTT,
Chairman.

Reports received.

Mr. Pisko, of committee, submitted the following reports:

MR. SPEAKER:—Your Committee on Printing, to whom was referred H. B. No. 95, beg leave to report it back, believing it to be correctly printed.

Respectfully submitted, for the Chairman,
EDWARD PISKO.

Report received.

MR. SPEAKER:—Your Committee on Engrossment, to whom was referred H. B.'s No.'s 38, 51, 77, 86, and 89, and C. B. No. 32, beg leave to report that they have examined the same, and find them correctly engrossed, as amended.

Respectfully submitted,
EDWARD PISKO,
Chairman.

Report received.

MR. SPEAKER:—Your Committee on Education, to whom was referred H. B. No. 41, have had the same under consideration. We beg leave to report it back to the House, with a substitute drafted by your committee, and we recommend that the House Bill No. 41, together with the substitute, be referred to the Committee of the Whole.

Respectfully submitted,

EDWARD PISKO, Chairman,
E. L. SMITH,
FRANK BINGHAM,
J. C. McSHANE,
A. Z. SHELDON.

Report received.

Mr. Mills, of committee, submitted the following reports:

MR. SPEAKER.—The Committee on Judiciary have considered substitute C. B. No. 4, "in regard to Practice at Law and in Chancery," and recommend the following amendment to be added to sec. 1: "Provided that the plaintiff may, in all cases, bring his action in the county where the cause of action accrued," and that with such amendment that said bill do pass.

WM. B. MILLS,
Chairman

MR. SPEAKER.—The Committee on Judiciary, to whom was referred substitute C. B. No. 12, entitled "an act to amend chap. 9 of the Revised Statutes of Colorado Territory, and for other purposes, approved February 9, 1872," report the same back, with a recommendation that it do pass.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary to whom was referred C. B. No. 14, "an act to amend chap. 70 of the Revised Statutes, entitled 'Practice,'" have considered the same, and instruct me to report the same back, with the recommendation that it do pass.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary have considered C. B. No. 23, "an act amending chap. 26 of the Revised Statutes of Colorado Territory, entitled 'Divorce and Alimony,'" and report same back, with recommendation that the word "harsh," in sec. 3, be stricken out, and the words "cruel or inhuman," be inserted in lieu thereof, and with such amendments the bill do pass.

WM. B. MILLS,
Chairman.

Reports received.

Mr. Kruse, of committee, submitted the following report:

MR. SPEAKER:—We, your Committee on Enrollment, beg leave to report back H. J. M. No. 3, correctly enrolled.

Respectfully submitted,
FREDERICK KRUSE,
Chairman.

Report received.

Mr. Bingham, of committee, submitted the following report:

MR. SPEAKER:—The Joint Committee on Enrollment would report that they have had under examination C. B.'s No.'s 48, 55, 10, 98, 3, and 72, and H. B.'s No.'s 63, 26, 48, 19, 14, and 33, and find the same to be correctly enrolled; and they further report that C. B.'s No.'s 48, 55, 10, 98, 3, 2, and 72, and H. B. No. 63, were presented to the Governor for his approval at 2:30 o'clock p. m., February 1, 1876.

FRANK BINGHAM,
Chairman House Joint Committee on Enrollment.

Report received.

Mr. Peyton offered the following report:

MR. SPEAKER:—Your Committee on County and County Lines ask leave to report that they have had under consideration H. B. No. 12, "for an act to re-establish the boundaries of Gilpin county," and refer the same back to the House without recommendation; H. B. No. 53, "for an act to authorize the County Commissioners of Fremont county to levy a special

tax," and refer the same back to the House, with the recommendation that the words "two and a half mills," where they occur in said bill, be stricken out, and the words "two mills," inserted in lieu thereof, and that as so amended it do pass; also H. B. No. 94, "for an act to reimburse Park county," and report that we find the Territory of Colorado justly indebted to Park county in the amount claimed by said bill, and recommend that it be referred to the Committee on Finance, Ways and Means, to be placed in the general appropriation bill.

I. N. PEYTON,
Chairman Committee on County and County Lines.

Report received.

Mr. Kruse moved that the rules be suspended, and H. B. No. 12 be referred to the Committee on Elections and apportionments.

Mr. Patterson moved to amend, and that the bill be referred to the Committee of the Whole.

Carried, so referred.

On motion of Mr. Rand, Council amendments to H. B. No. 55 were concurred in

On motion of Mr. Mills, Council amendments to H. B. No. 72 were concurred in.

Mr. Pisko offered the following resolution:

Resolved by the House of Representatives of Colorado Territory, the Council concurring, that the Joint Resolution passed by both Houses during the Eleventh Session in reference to the reports of Territorial officers be, and the same is hereby amended, by striking therefrom the words, "two hundred and fifty (250) copies of the report of the Superintendent of Public Instruction," and by inserting in lieu thereof the words, "one thousand (1,000) copies of the report of the Superintendent of Public Instruction."

Lost.

Mr. Gurule introduced H. B. No. 97, "an act providing for the fencing of lands where grass is cut and put in stacks, in Las Animas county."

Mr. Marshall introduced H. B. No. 98, "a bill for an act concerning the Probate Court of Park county."

Mr. Marshall moved that the rules be suspended, H. B. No. 98 be read a second time, and referred to the Committee on Judiciary.

Carried, bill so referred.

On motion of Mr. Peyton, the rules were suspended, H. B. No. 97 was read second time, and referred to the Judiciary Committee.

C. B. No. 99 was read second time.

Mr. Peyton moved the rules be suspended, the bill be read a third time, and put upon its final passage.

Mr. Marshall moved to amend the bill by adding after the word "authorized," the words, "if they shall see fit."

Mr. Peyton moved to further amend by inserting after the words "Common Council," the words, or "Board of Trustees."

Carried.

The bill, as amended, was read third time, and put upon its final passage.

The vote on the final passage resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—23.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 95 was read second time.

Mr. Duhme moved the rules be suspended, the bill be read a third time, and put upon its final passage.

Mr. Duhme moved to amend the bill by inserting after the word "year," the words, "for seven years."

Carried.

The rules were suspended, the bill read a third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Mills, Meldrum, McShane, Marshall, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—21.

Noes—None.

So the bill passed, title agreed to.

On motion of Mr. Kruse, the report of the Committee on Mines and Mining, on C. B. No. 64, was adopted.

On motion of Mr. Patterson, the report of the Committee on Mines and Mining, on H. B. No. 60, was adopted, and the bill referred to the Committee of the Whole.

On motion of Mr. Sheldon, the report of the Committee on Education, on H. B. No. 41, was adopted, and both the report and bill were referred to the Committee of the Whole.

On motion of Mr. Bingham, the report of the Judiciary Committee on S. C. B. No. 4, was adopted.

On motion of Mr. Meldrum, the report of the Judiciary Committee on Sub. C. B. No. 12, was adopted.

Mr. Pisko, of committee, submitted the following report:

MR. SPEAKER:—Your Committee on Engrossment, to whom was referred H. B. No. 52, beg leave to report that they have examined the same, and find it correctly engrossed, as amended.

Respectfully submitted,

EDWARD PISKO,
Chairman.

Report received.

The report of the Committee on Judiciary, on C. B. No. 14, was adopted.

On motion of Mr. McShane, the report of the Judiciary Committee on C. B. No. 23, was adopted.

On motion of Mr. Smith, the report of the Committee on County and County Lines, on H. B.'s No.'s 53 and 94, was adopted.

Sub. C. B. No. 26 was read the third time.

Mr. McNutt moved the bill be referred to the Committee on County and County Lines, with instructions that they insert a proviso to the effect that all towns that have expended from five thousand ($5,000) dollars to ten thousand ($10,000) dollars for county buildings, shall be excluded from the provisions of this act.

Lost.

Mr. Marshall moved to amend, so that this act shall only apply to counties that have expended ten thousand dollars (10,000) in county buildings; also counties that have previously voted on the establishment of the county seat.

Mr. Meldrum moved to amend the amendment by striking out the words, "also counties that have previously voted on the establishment of the county seat."

Amendment accepted.

Mr. Marshall moved the bill be laid on the table.

Lost.

Mr. Marshall moved that the provisions of this act apply only to Arapahoe county.

Motion lost.

Mr. Peyton moved the previous question be put.

Carried.

Sub. C. B. 26 was read a third time, and put upon its final passage.

The vote resulted as follows.

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Mills, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sanchez, Yonley, and Mr. Speaker—18.

Noes—Messrs. McShane, Marshall, McNutt, and Sheldon—4.

So the bill passed, title agreed to.

C. B. No. 70 was read the third time.

Mr. Rand moved to amend the bill by striking out, in sec. 1, line 3, the word "Territorial," and insert in lieu thereof the word "county"; and in sec 4, strike out the word "Territorial," and insert the word "county"; and in sec. 5, strike out all after the word "proven," in third line.

Mr. Sheldon moved further action on the bill be indefinitely postponed.

Motion withdrawn.

Mr. Marshall moved to amend, by inserting the words, "and Indian," after the word "coyote," wherever it occurs in the bill.

Motion withdrawn.

Mr. Sheldon moved the bill be amended in the manner proposed by Mr. Marshall.

Mr. Jaramilla moved an amendment to the bill.

Mr. Meldrum moved the previous question be now put.

Carried.

The question being on the motion to insert the word "Indian," the ayes and noes were called for.

Those voting aye were Messrs. Jaramilla, Marshall, Patterson and Sheldon—4.

Noes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Kruse, Mills, Meldrum, McShane, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sanchez, Yonley, and Mr. Speaker—19.

So the amendment was lost.

The bill was now put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Bingham, Duhme, Meldrum, McNutt, Nimerick, Patterson, Peyton, Sanchez, Yonley, and Mr. Speaker—10.

Noes—Messrs. Apadaca, Everitt, Gurule, Jaramilla, Kruse, Mills, McShane, Marshall, Pisko, Rand, Rettberg, Smith, and Sheldon—13.

So the bill did not pass.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 2, 1876.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has reconsidered the vote by which H. B. No. 61 was lost, and that it has passed said bill, herewith returned. The Council has also passed the following Council bills, in which the concurrence of the House is requested: Substitute for C. B. No. 22, "for an act to repeal an act entitled 'an act to amend chap. 59 of the Revised Statutes, entitled "Marriages," and for other purposes;'" C. B No. 82, "for an act to amend an act entitled 'an act prescribing the time of holding the District Courts in the Second Judicial District,' approved January 31, 1874;" C. B. No. 87, "for an act to amend an act in relation to the publishing of detailed statements of the County Commissioners, approved February 6, 1872;" C. B. No. 89, "for an act to amend paragraph 6, of chap. 33, of the Revised Statutes, in relation to discounts;" C. B. No. 110, "for an act to dissolve the bonds of matrimony between George Boyles and Clara J. Boyles."

Very respectfully, your obedient servant,
JAMES T. SMITH,
Secretary.

The following message was received from the Council.

COUNCIL CHAMBER,
DENVER, February 2, 1876.

To the Hon. Speaker of the House:

SIR: I am instructed to inform your Honorable Body that the Council has passed C. B. No. 21, "for an act to amend, revise, and consolidate the acts relating to public schools;" also C. B. No. 46, "for an act to promote better discipline, and encourage reformation in the penitentiary;" also C. B. No. 76, "for an act to provide for the printing of the acts of the Legislative Assembly of Colorado Territory, for the year 1876,

in the Spanish language;" also C. B. No. 111, "for an act to enable County Commissioners to correct false returns and statements of property for taxation." Also that the Council has concurred in House amendments to C. B. No. 33.

Very respectfully, your obedient servant,

JAS. T. SMITH,
Secretary.

C. B. No. 1 was taken up for third reading.

On motion of Mr. Kruse, the bill was read third time by title, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—23.

Noes—None.

So the bill passed, title agreed to.

On motion of Mr. Bingham the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

On motion of Mr. Pisko, Mr. Smith was excused for one hour.

C. B. No. 12 was read the third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramila, Kruse, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

C. B. No. 64 was read third time and passed by the following vote:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

Title agreed to.

C. B. No. 15 was read third time.

On motion of Mr. Mills amended by striking out the words "without condition," and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, Mr. Speaker—23.

Noes—None.

So the bill passed, title agreed to.

C. B. No. 32 was read third time and passed by the following vote:

Ayes—Messrs. Apadacas, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Mills, Meldrum, McShane, Marshall, Nimerick, Pisko, Rand, Smith, Sheldon, Yonley, and Mr. Speaker—18.

Noes—Messrs. McNutt, Patterson, Peyton, Rettberg, Sanchez, and Trippe—6.

Title agreed to.

C. B. No. 23 was read third time.

On motion of Mr. Trippe the bill was amended by inserting the word "if" after the word "and" in the 5th line of printed copy.

Mr. Smith moved that section 1 be stricken out.

Motion lost.

On motion of Mr. Smith the vote was reconsidered whereby the House amended the bill by inserting word "if" after word "and."

Mr. Mills moved to amend the bill by inserting a "period" after the word "children," in sixth line, and commence the word "and" with a capital letter.

Motion carried; bill so amended.

The bill was now put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Duhme, Gurule, Jaramilla, Kruse, Mills, Meldrum, Marshall, Nimerick, Pisko, Patterson, Rettberg, Sheldon, and Mr. Speaker—13.

Noes—Messrs. Bingham, Meldrum, McShane, McNutt, Peyton, Rand, Smith, Sanchez, Trippe, and Yonley—10.

So the bill did not pass.

C. B. No. 14 was read third time.

Mr. Smith moved to amend by striking out all after the

word "void," and insert the following: "But such bond may by the consent in writing of the parties to the suit in which the same is required to be filed of a bond in such cause, and be effectual as such."

Carried and the bill put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Mills, McShane, Marshall, McNutt, Nimerick, Rand, Smith, Sheldon, Sanchez, and Mr. Speaker—16.

Noes—Messrs. Kruse, Meldrum, Patterson, Peyton, Rettberg, and Yonley—6.

Mr. Pisko excused from voting.

So the bill passed, title agreed to.

S. C. B, No. 4 was read third time and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Bingham, Kruse, Mills, McShane, Marshall, McNutt, Nimerick, Pisko, Sheldon, and Mr. Speaker—10.

Noes—Messrs. Apadaca, Duhme, Everitt, Jaramilla, Meldrum, Patterson, Peyton, Rand, Rettberg, Smith, Sanchez, and Yonley—12.

So the bill did not pass.

Mr. Sheldon moved the House take up H. B. No. 38.

Motion carried.

The bill was read third time.

Mr. Sheldon moved to amend the bill by striking out all in sec. 3 after the word "Institute," whe e it first occurs, and in serting the following in lieu thereof, "and shall berepaid to the Territory whenever the funds of said Institute shall afford a rupluss sufficient for that purpose over all needful expenses."

Mr. Kruse moved to further amend by adding the following: That the Territorial Auditor be instructed to withhold from the funds due said Institute, the sum of one thousand dollars per annum, until so much shall have been withheld as to satisfy the amount appropriated in the second section of this act.

Accepted.

The amendments were withdrawn.

Mr. Sheldon moved to amend by striking out in section 3 the word and figures "six thousand" (6,000), and insert the words and figures "seven thousand (7,000.)"

Motion carried; bill so amended.

Mr. Sheldon now moved the previous question be put.

Carried, and the bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Duhme, Everitt, Gurule, Jaramilla, Kruse, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 51 was read third time.

Mr. McNutt moved the bill be ordered printed.

Motion withdrawn.

Mr. Peyton moved further action on the bill be postponed until next Friday afternoon.

Motion lost.

Mr. Pisko moved further action be postponed until to-morrow afternoon.

Motion carried.

Mr. Rand moved the vote by which the House refused to pass C. B. No. 70 be reconsidered.

Motion carried.

Mr. Mills moved that when the House adjourns, it adjourn to meet at 7 o'clock this evening.

Motion carried.

Mr. Duhme moved the House adjourn.

Motion lost.

C. B. No. 70 being before the House, Mr. Peyton moved to amend by inserting a section to be section 1, to read as follows: "That the County Commissioners of the different counties in this Territory may offer and pay out of the County Treasury a reward to any person who shall kill any wolf or coyote, or any number of wolves or coyotes, such reward not to exceed one dollar for each coyote so killed."

Carried.

Mr. Sheldon moved to amend the bill by inserting after the word "coyote" where it occurs in the bill, the words, "or any other predatory animals."

Carried.

Mr. Rand moved to further amend by striking out in third line of section 1, the word "Territorial," and insert the word "County" in lieu thereof; in section 4 strike out the word "Territorial" and insert the word "County," and in sec. 5 by striking out all of said section after the word "proven" in third line.

Carried.

The bill as amended was put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Everitt, Kruse, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker —18.

Noes—Messrs. Apadaca, Duhme, Gurule, and Jaramilla.

So the bill passed, title agreed to.

C. B. No. 77 was read third time.

On motion of Mr. McShane further consideration of the bill was postponed until Friday afternoon next.

Mr. Yonley moved the House adjourn.

Motion lost.

H. B. No. 86 was taken up.

On motion of Mr. Kruse further action on the same was postponed until Monday afternoon next.

Mr. Duhme moved to adjourn.

Motion lost.

H. B. No. 89 was read third time.

Mr. McNutt moved the bill be amended by striking out the word "and" before the words "Rio Grande" and after the words "Rio Grande," add the words "and Saguache."

Carried.

Bill so amended and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Duhme, Everitt, Gurule, Jaramilla, Kruse, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 52 was read third time.

Mr. Mills moved to amend the bill by adding to sec. 3, the following: "Any transient practitioner of medicine or surgery, or public vender of patent or proprietary medicines or appliances, who comes into the Territory of Colorado for the purpose of engaging in the practice of medicine or surgery, or vending his or her wares, shall be required to appear before a Clerk of some County in the Territory, and furnish satisfactory evidence of his or her qualifications, as required in the preceding sections of this act, and pay two hundred dollars ($200) to such Clerk, whereupon the Clerk aforesaid shall issue a certificate of license conferring upon the applicant the privileges of practicing medicine or surgery within the Territory."

Mr. Marshall moved to amend amendment by striking therefrom the word "transient."

Motion lost.

Mr. Pisko moved to further amend by adding the following: "The provisions of this section shall not be construed to apply to druggists in established business in this Territory, or commercial agents representing druggists and manufacturers of surgical appliances, or members of the medical profession from abroad visiting patients at their residences in this Territory, in consultation with the members of the medical profession licensed to practice in this Territory."

Accepted.

Question now being on the motion as amended, was lost.

Mr. Pisko offered the following amendment: "Any transient public vendor of patent or proprietary medicines or appliances who comes into the Territory of Colorado for the purpose of vending his or her wares, shall be required to appear before a Clerk of some County in the Territory, and furnish satisfactory evidence of his or her qualifications, as required in the preceding sections of this act, and pay two hundred dollars ($200) to such Clerk, whereupon the Clerk aforesaid shall issue a certificate of license conferring upon the applicant the privilege of practicing medicine or surgery within the Territory.

"The provisions of this section shall not be construed to apply to druggists in established business in this Territory, or commercial agents representing druggists and manufacturers of surgical appliances, or members of the medical profession from abroad visiting patients at their residence in this Territory, in consultation with the members of the medical profession licensed to practice in this Territory."

Lost.

On motion of Mr. Mills the bill was made the special order for Friday.

On motion of Mr. McShane House adjourned.

EVENING SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Mr. Jaramilla moved the rules be suspended and C. B. No. 110 be taken up, read second time by title and referred to the Committee on Military Affairs.

Motion carried.

Bill read second time and so referred.

H. B No. 74 was read third time.

Mr. McNutt moved to amend the bill by adding section 2, to read as follows: "Sec. 2. Section one of the same act shall be amended by striking out the words and figures fifteen hundred (1,500) and inserting in lieu thereof the words and figures two thousand (2,000.)

Carried; bill so amended.

The question being upon the final passage, Mr. Jaramilla moved a call of the House.

Messsrs. Bingham, Meldrum, Rettberg, and Sheldon were found to be absent.

The Sergeant-at-arms was instructed to force the call and bring the absent members.

During the call a recess of ten minutes was taken.

At the expiration of the recess, the House was called to order by the Speaker.

Mr. Peyton moved further proceedings under the call be dispensed with.

Motion lost.

Sergeant-at-arms announced the presence of Mr. Sheldon.

On account of sickness in his family, Mr. Sheldon was excused from further attendance during the evening.

Sergeant-at-arms announced the presence of Mr. Meldrum.

On motion of Mr. Mills further action under the call was dispensed with.

The question now being on the final passage of H. B No. 74, the vote was taken and resulted as follows:

Ayes—Messrs. Everitt, Larned, Mills, McNutt, Pisko, Peyton, and Sanchez—7.

Noes—Messrs. Apadaca, Duhme, Gurule, Jaramilla, Kruse, Meldrum, McShane, Marshall, Nimerick, Patterson, Rand, Rettberg, Smith, Yonley and Mr. Speaker—15.

So the bill did not pass.

The House now went into Committee of the Whole on General Orders of the Day.

Mr. Smith in the chair.

After a time the committee arose, and reported as follows:

MR. SPEAKER:—The Committee of the Whole have had under consideration H. B. No. 69, and recommend it be amended as follows: "Insert after the word 'enabling' in 7th line of

sec. 6, printed copy, the word 'it;' strike out sections 10 and 11, and add the following to be known as sec. 9, to read: 'Sec. 9. The necessary traveling expenses of the Board when engaged in the duties defined in section eight of this act, shall be paid for out of the Treasury of the Territory; provided, such expenses shall not exceed the sum of twelve hundred dollars.'" and as so amended it do pass; H. B. No. 93, and recommend it be amended by striking out sec. 7, and as so amended it do pass; C. B. No. 62, and recommend it be amended in sec. 8, by inserting after the word "owner" the words "or his agent," in 9th line, and the 9th and 10th lines after the word "affected," strike out the words "or his agent," and that as so amended the bill do pass; H. B. No. 96, and report the same back to the House without recommendation; House Bills No's 76, 92, and 16, and recommend the bills do pass; H. B. No. 60, and recommend it be amended by striking out sec. 2, and as so amended it do pass; H. B. No. 41, and report the same back without recommendation; S. H. B. No. 41, and report the same back to the House without recommendation.

E. L. SMITH,
Chairman.

On motion the report was adopted.

Mr. Peyton moved the vote by which the House refused to pass S. C. B. No. 4, be reconsidered.

Motion carried.

On motion the House adjourned.

TWENTY-SIXTH DAY.

THURSDAY, February 3, 1876, 10 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Mills, Marshall, Peyton, Rettberg, Smith, and Trippe.

Quorum present.

Mr. Mills was excused from attendance during the day.

The reading of the Journal was dispensed with until to-morrow.

Messrs. Marshall, Rettberg, and Peyton appeared, and took their seats.

Mr. Sheldon presented a petition from the Board of Trustees and officers of the Deaf Mute Institute, asking the reappointment of Mr. Matt. France to the position of Trustee of said institute.

Read, and on motion of Mr. Sheldon, laid on the table.

Mr. Pisko reported as follows:

MR. SPEAKER:—Your Committee on Engrossment, to whom was referred C. B. No. 62, and H. B.'s No.'s 53, 60, 76, and 93, beg leave to report that they have examined the same, and find them correctly engrossed, as amended.

Respectfully submitted,

EDWARD PISKO,
Chairman

Report received.

Mr. Sanchez submitted the following report:

MR. SPEAKER:—Your Committee on Indian Affairs, to whom was referred C. B. No. 54, have had the same under consideration, and report the same back to the House, with the recommendation that it do not pass, and beg leave to introduce herewith a petition from the citizens of Conejos county against the passage of said bill.

FRANCISCO SANCHEZ,
Chairman.

Report received.

Mr. Gurule submitted the following minority report on C. B. No. 54:

MR. SPEAKER:—Your Committee to whom was referred C. B. No. 54, would respectfully report that they have had said bill under consideration, and report it back to the House, with the recommendation that it do pass.

M. APADACA,
D. GURULE.

Report received.

Mr. Kruse reported as follows:

MR. SPEAKER:—We, your Committee on Enrollment, beg leave to report back H. B.'s No.'s 55, 61, and 72, correctly enrolled.

Respectfully submitted,
F. KRUSE,
Chairman.

Report received.

Mr. Bingham submitted the following report:

MR. SPEAKER:—Your Joint Committee on Enrollment beg leave to report that H. B.'s No.'s 33, 14, 48, 26, and 19, were presented to the Governor for his approval at 2 o'clock p. m., February 2, 1876; also that they have examined H. J. M. No. 2, and find the same to be correctly enrolled.

FRANK BINGHAM,
Chairman House Joint Committee on Enrollment.

Report received

Mr. McNutt introduced H. B. No. 99, "a bill for an act to appropriate $5,000 to aid in the construction of a public wagon road from Baker's Park to Hinsdale county."

Read first time.

On motion of Mr. McNutt, the rules were suspended, the bill read a second time, and ordered on file for third reading to-day.

Mr. Rand introduced H. B. No. 100, "a bill for an act to amend sec. one (1) of article three (3) of chap. 54 of the Revised Statutes of Colorado; entitled 'Liens.'"

Read first time, and referred to the Committee on Printing.

On motion of Mr. Pisko, Mr. Smith was excused from further attendance during the forenoon.

On motion, the rules were suspended, and Mr. Kruse, without previous notice, introduced a substitute for H. B. No. 86

On motion of Mr. Kruse, the rules were further suspended, and the substitute bill was read second time at length, third time by title, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—21.

Noes—None.

Mr. Patterson excused from voting.

So the bill passed, title agreed to.

Under suspension of the rules, H. B. No. 86 was taken up.

On motion of Mr. Kruse, further action on the same was indefinitely postponed.

H. B. No. 21 was taken up for second reading.

On motion of Mr. Sheldon, the reading was dispensed with, and the bill referred to the Committee of the Whole.

Mr. Marshall was excused from further attendance during the forenoon.

C. B. No. 19 was taken up for second reading.

On motion of Mr. Peyton, the second reading was dispensed with, and the bill referred to the Committee on Judiciary.

S. C. B. No. 22 was read second time.

On motion of Mr. Sheldon, referred to the Committee on Judiciary.

C. B. No. 82 was read second time.

On motion of Mr. McShane, referred to the Judiciary Committee.

C. B. No. 87 was read second time, and referred to the Committee of the Whole.

C. B. No. 89 was read second time.

On motion of Mr. Sheldon, referred to the Committee on Judiciary.

C. B. No. 111 was read second time.

On motion of Mr. Kruse, referred to the Committee on Finance, Ways and Means.

A message was received from the Governor, delivered by his Private Secretary, informing the House that his Excellency had approved and signed H. B.'s No.'s 14, 19, 26, 33, and 48.

C. B. No. 46 was read second time, and referred to the Committee of the Whole.

C. B. No. 54, and the majority and minority reports thereon, were, on motion of Mr. Pisko, referred to the Committee of the Whole.

C. B. No. 62 was read third time.

On motion of Mr. McNutt, referred to the Committee on Judiciary.

On motion of Mr. Pisko, the vote by which the bill was so referred, was reconsidered.

The bill was now put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule,

Jaramilla, Kruse, Larned, Meldrum, McShane, Nimerick, Pisko, Patterson, Rand, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—19.

No—Mr. Peyton—1.

Excused from voting—Mr. McNutt.

So the bill passed, title agreed to.

C. B No. 76 was read third time.

Mr. Pisko moved to amend, by striking out the word "act" in the first section, and insert the words "General Laws," in lieu thereof.

Mr. Sheldon moved to further amend, by adding, after the words "General Laws," the words, "and acts applying specially to those counties."

Amendment lost.

Mr. McNutt moved to amend sec. 2, as follows: "Strike out the figures '30' in both places in the second line of the second section, and insert the figures '40' in lieu thereof, and to strike out the figures '75' and '70,' in the third line, and insert the figures '65' and '60' respectively."

Lost.

Mr. Pisko moved the bill be referred to the Committee o Finance.

Mr. Peyton moved the previous question be put.

Carried.

The question now being on the final passage of the bill, the vote resulted as follows:

Ayes—Messrs. Apadaca, Duhme, Gurule, Jaramilla, Nimerick, Patterson, Rand, Rettberg, Yonley, and Mr. Speaker—10.

The noes were Messrs. Bingham, Everitt, Kruse, Larned, Meldrum, McShane, McNutt, Pisko, Peyton, Sheldon, and Sanchez—11

So the bill did not pass.

Mr. Sheldon moved the vote by which the House refused to pass C. B. No. 76, be reconsidered.

Motion carried.

On motion of Mr. McNutt, the bill was referred to the Committee on Finance, Ways and Means.

C. B. No. 16 was read third time, and passed by the following vote:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Kruse, Larned, Meldrum, McShane, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—19.

No—Mr. Jaramilla—1.

Title agreed to.

On motion of Mr. Kruse, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

S. C. B. No. 4 was taken up and read.

Mr. Smith moved to amend the bill by inserting after the words "General Superintendent," the words "stock holders."

Carried, and the bill put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Kruse, Larned, Meldrum, McShane, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—19.

No—Mr. Smith—1.

Mr. Jaramilla excused from voting.

So the bill passed, title agreed to.

The following messages were received from the Council:

COUNCIL CHAMBER,
DENVER, February 2, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has concurred in House amendments to C. B. No. 99, and that the Council has passed the following bills: C. B. No. 39, "for an act to amend chap. 18 of the Revised Statutes, entitled 'Corporation'"; C. B. No. 73, "for an act to allow the assignment of claims;" C. B. No. 75, "for an act concerning Justices of the Peace;" C. B. No. 100, "for an act entitled an act to regulate the cancelling of city and town warrants;" C. B. No. 109, "for an act to amend an act entitled an act concerning elections," approved February 13, 1874; that it has

concurred in House amendment to C. B. No. 32; that it has refused to concur in House amendments to C. B. No. 70; and that it has amended House amendments to C. B. No. 14, by inserting in the fourth line of said amendment, after the word "filed," and where it first occurs, the words, "and the sureties on the bonds." The concurrence of the House is requested. Also that it has passed the following bills: Council substitute for H. B. No. 50, "for an act to amend an act relative to fees and salaries in Weld and Larimer counties;" H. B. and Council substitute herewith transmitted; H. B. No. 57, with the following amendment: by adding the words, "or horned cattle" at the end of sec. 1; H. B. No. 36, with the following amendment: insert after the word "vacation," in ninth line of sec. 1, the words: "If it appears to said Court, or the Judge thereof, that the evidence of such witness would be material in the trial of the cause;" C. B. No. 78, "for an act concerning practice;" C. B. No. 85, "for an act to amend an act entitled 'an act for the government and management of the Penitentiary;'" C. B. No. 92, "for an act to provide for the publication of ordinances in towns of less than 1,500 inhabitants;" Substitute for C. B. No. 112, "for an act to amend chap. 18 of the Revised Statutes;" C. B. No. 116, "for an act concerning roads and highways in Pueblo county." The concurrence of the House is requested.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

H. B. No. 45 was read third time.

Mr. Peyton moved to amend the bill, by inserting in the third and fifth lines, after the words "real estate," the words, "and personal property."

Carried, bill so amended, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Everitt, Larned, Meldrum, McNutt, Nimerick, Pisko, Patterson, Rand, Rettberg, Smith, Sanchez, Yonley, and Mr. Speaker—13.

Noes — Messrs. Bingham, Duhme, Jaramilla, Kruse, McShane, Peyton, and Sheldon—7.

Mr. Apadaca excused from voting.

So the bill did not pass.

S. H. B. No. 51 was read third time.

Mr. McNutt moved to amend, by striking out in sec. 1 the

words and figures, "seven thousand five hundred dollars ($7,500)," and insert the words and figures, "three thousand dollars ($3,000)," in lieu thereof.

Motion lost.

Mr. McNutt moved to amend sec. 2, by striking out the words and figures "one-fourth (¼)," and insert in lieu thereof the words and figures "one-tenth (1-10),"

Motion lost.

The bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Duhme, Everitt, Kruse, Larned, Meldrum, McShane, Nimerick, Pisko, Patterson, Rand, Smith, Sheldon, Sanchez, and Mr. Speaker—14.

Noes—Messrs. Apadaca, Bingham, Jaramilla, McNutt, Peyton, Rettberg, Trippe, and Yonley—9.

So the bill passed, title agreed to.

S. H. B. No. 41 was taken up.

On motion of Mr. Pisko, further action was postponed until Monday next.

H. B. No. 41 was read third time.

On motion of Mr. Kruse, further action was postponed until Monday next.

H. B. No. 96 was read third time.

On motion of Mr. Yonley laid on the table.

H. B. No. 99 was read third time.

On motion of Mr. McNutt it was laid on the table.

H. B. No. 95 was read third time.

Mr. Smith moved to amend by adding the following to the bill: "Provided the jurisdiction hereby conferred shall not be exercised by said Probate court after the next general election, and after such election the Judge of said court shall be an attorney-at-law of good standing, who shall have practiced at least two years before his election."

Mr. Jaramilla moved the further consideration of the bill be indefinitely postponed.

Motion carried.

Mr. Smith asked the unanimous consent of the House be given to allow him to introduce a resolution.

Mr. Jaramilla objected.

On motion the rules were suspended, and Mr. Smith introduced the following.

Resolved, That the operation of Rule 22 of the House of Representatives be suspended for the remainder of the session.

Adopted.

Under suspension of the rules, Mr. Smith of committe on Territorial Affairs, introduced H. B. No. 101, "a bill for an act for the elevation and improvement of the horse in Colorado."

Also H. B. No. 12, "a bill for act to amend an act entitled 'an act for providing for stock killed by railroads and railways.'"

H. B's No's 101 and 102 read first time and referred to the Committee on Printing.

H. B. No. 53 was read third time and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sanchez, Trippe, and Yonley—20.

No—Mr. Jaramilla—1.

Mr. Sheldon and Mr. Speaker excused from voting.

So the bill passed, title agreed to.

H. B. No. 60 was read the third time.

On motion of Mr. Patterson laid on the table.

H. B. No. 76 was read third time, and passed by the following vote:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt' Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker —24.

Noes—None.

So the bill passed, title agreed to.

The Special Order of the Day, H. B. No. 56, was taken up.

Mr. McShane moved to amend the bill by striking out in second line of sec. 1 the words and figures "thirteen (13)" and insert in lieu thereof the word and figures "sixteen (16)" and thereafter wherever the word and figures "thirteen (13)" occurs and insert the word and figures "sixteen (16)."

Carried.

Mr. Pisko moved to amend by adding to section 5, read: "In the name of the County Assessor wherein said district is."

Carried.

Mr. Sheldon moved to amend by addding to sec. 2: "Provided that in those districts having no Spanish residents, no notice in the Spanish language shall be given."

Carried.

Mr. Rand moved to amend by striking out in the seventh line

of sec. 4, the words "the district" and insert the words "in the county."

Carried.

Mr. Smith moved to insert in third line of sec. 1 after the word "school" the words "and every Sunday to some orthodox church," and called for the ayes and noes on the motion.

Those voting aye were Messrs. Apadaca, Everitt, Gurule, Jaramilla, McShane, Marshall, Nimerick, Smith, Sanchez, and Trippe—10.

Noes—Messrs. Bingham, Duhme, Kruse, Larned, Meldrum, McNutt, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—14.

So lost.

The bill was put upon its final passage.

The vote resulted as follows.

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Kruse, Larned, Meldrum, McShane, McNutt, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, and Mr. Speaker—19.

Noes—Messrs. Jaramilla, Marshall, Nimerick, Smith and Yonley.

So the bill passed, title agreed to.

The House now went into Committee of the Whole on General file.

Mr. Sheldon in the chair.

The committee arose and reported as follows:

MR. SPEAKER:—The Committee of the Whole have considered C. B. No. 51, and report the same back to the House and recommend it do not pass; C. B. No. 46, and report the same back and recommend it do pass; C. B. No. 87, and report it back without recommendation.

A. Z. SHELDON,
Chairman.

On motion of Mr. Pisko the report was adopted.

On motion of Mr. Bingham the House adjourned.

TWENTY-SEVENTH DAY.

FRIDAY, February 4, 1876, 10 o'clock a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Duhme, Gurule, Meldrum, Smith, and Trippe.

Quorum present.

On motion Mr. Trippe was excused from attendance during the afternoon.

Journal of the two preceding days read and approved.

During the reading of the Journal Messrs. Duhme, Gurule, and Meldrum, appeared and took their seats.

Mr. Mills presented a petition signed by several hundred, asking a law be passed prohibiting saloon-keepers and other persons dealing in liquors from selling on Sundays.

Read.

On motion of Mr. Peyton, referred to the Committee on Irrigation.

Mr. Rand presented a petition from Citizens of Conejos county asking a repeal of the fence law.

Mr. Rettberg submitted the following report:

MR. SPEAKER:—Your Committee to whom was referred Council Bill No. 110 have had the same under consideration, and offer the following majority report:

We beg leave to report the same back with the recommendation that it do poss.

H. O. RETTBERG,
N. D. JARAMILLA,
GEORGE RAND,
M. APADACA.

Report received.

Mr. Mills reported as follows:

MR. SPEAKER.—The Committee on Judiciary report back Council Bill No. 89, "in relation to descents," and recommend the passage thereof with the accompanying amendment in lieu of sec. 1 of the original bill.

WM. B. MILLS,
Chairman

MR. SPEAKER:—The Committee on Judiciary have considered House Bill No. 98, concerning the Probate court of Park county, and recommend the passage of the substitute therefor, herewith submitted.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary have considered Council No. 19, amending chapter 6, of the Revised Statutes, entitled "Atttachments," and report the same back with the recommendation that it do pass.

WM. B. MILLS,
Chairman.

Reports received.

Mr. Kruse submitted the following report:

MR. SPEAKER:—Your Committee on Election and Apportionment, beg leave to report back H. B. 82 with a substitute and recommend the substitute be adopted.

FRED. KRUSE,
Chairman.

MR. SPEAKER:—We, your Committee on Election and Apportionment, beg leave to report back C. B. No. 84, with the recommendation that it do not pass.

FREDERICK KRUSE,
Chairman.

Reports received.

Mr. Marshall submitted the following report:

MR. SPEAKER:—Your Committee on Incorporations, to whom was referred H. B. No. 46, have considered the same, and report it back with the recommendation that it do pass.

JAMES Y. MARSHALL,
Chairman of Committee.

MR. SPEAKER:—Your Committee on Incorporations, to whom was referred H. B. No. 73, have considered the same and report it back, and recommend that it be considered in Committee of the Whole.

JAMES Y. MARSHALL,
Chairman Committee.

Reports received.

Mr. Pisko reported as follows:

MR. SPEAKER:—Your Committee on Engrossment, to whom were referred House Bills No's. 69, 81, and 92, have had the same under examination, and report them back correctly engrossed as amended.

Respectfully submitted,

EDWARD PISKO,
Chairman

Mr. Bingham reported as follows.

MR. SPEAKER:—The Committee on Engrossment would report that they have examined Council Bills No's 56, 18, 13, 52, 15, 64, 99, and 1, and House Bills No's 61, 72, and 55, and find the same to be correctly enrolled.

FRANK BINGHAM,
Chairman House Joint Enrolling Committee.

Report received.

Mr. Larned reported as follows:

MR. SPEAKER:—Your Committee on Printing report back House Bills No. 100, 101, and 102, and they are believed to be correctly printed.

W. LARNED.
Chairman

Report received.

Mr. Mills, of the special committee, submitted the following report:

To the Honorable the Speaker and Members of the House of Representatives:

Your committee appointed to confer with a committe from the Constitutional Convention and the Committee from the Council in Joint Committee assembled, beg leave to report that in our opinion the members of said convention, and the officers thereof, should receive the same compensation as the members and officers of this House, respectively, for the term of fifty days, and that the incidental expenses and the expenses of printing incurred by said committee during that time, ought to be paid. After carefully examining of the statements presented by the

committee of said convention, we are of opinion that such expenses ought not to exceed twenty thousand dollars ($20,000), and we recommend an appropriation of that amount to defray said expenses.

All of which is respectfully submitted,

WM. B. MILLS,
W. LARNED,
J. H. YONLEY,
Committee.

Report received.

The committee also presented an estimate of accounts and expenditures of the Convention, which were received.

The amendments proposed by the Council to H. B. No. 36, were on motion of Mr. Mills concurred in.

The amendments proposed by the Council to H. B. No. 57, were considered.

On motion of Mr. Sheldon the House refused to concur.

On motion of Mr. Peyton action on the substitute proposed by the Council for H. B. No. 50, was deferred until to-morrow.

The amendments proposed by the Council to the House amendments to C. B. No. 14, were, on motion of Mr. Mills, concurred in.

Mr. Peyton offered the following resolution:

Resolved, That hereafter the session shall open at 9 o'clock a. m., instead of 10 o'clock as heretofore.

Mr. McNutt moved to amend by striking out nine and inserting "half-past nine."

Carried.

Resolution as amended, adopted.

Mr. Kruse offered the following resolution:

Resolved, That this House shall have night sessions during the remainder of this term, to commence at 7 o'clock p. m., each evening.

On motion adopted.

Bills were introduced as follows:

Mr. Everitt introduced H. B. No. 103, "a bill for the relief of the grasshopper sufferers of Colorado Territory."

Mr. Mills introdnced H. B. No. 704, "a bill for an act relating to bonds, bills and promissory notes."

Mr. Trippe introduced H. B. No. 105, "an act to amend section 37 of chapter 76 of the Revised Statutes;" also H. B. No. 106, an act to amend an act entitled 'an act to amend sections 27 and 30 of chapter 76 of the Revised Statutes of Colorado.'"

Mr. Gurule introduced H. B. No. 107, "an act concerning roads in Las Animas county."

On motion of Mr. Mills, H. B No. 104 was read second time under suspension of rules, and referred to the Judiciary Committee.

Mr. Rand introduced H. B. No. 108, "a bill for an act concerning the Probate court of Jefferson county."

Mr. Patterson moved to amend the title of H. B. No. 108, by inserting after the word "Jefferson," the word "Boulder."

Carried.

On motion of Mr. Rand the rules were suspended, and House Bill No. 108 was read second time, and referred to the Committee on Irrigation.

C. B. No. 78 was read second time, and on motion of Mr. Kruse referred to the Judiciary Committee.

C. B. No. 116 was read second time.

Mr McNutt moved the bill be referred to the Committee on Elections and Apportionments.

Mr. Rettberg moved to amend by referring to the Committee on County and County Lines.

Carried; bill so referred.

C. B. No. 112 was read second time, and referred to the Committee of the Whole.

C. B. No. 92 was read second time, and referred to the Committee of the Whole.

C. B. No. 85 was read second time, and on motion of Mr. Mills referred to the Committee on Territorial Prisons.

C. B. No, 39 was taken up for second reading.

On motion of Mr. Sheldon, further reading was dispensed with, and the bill referred to the Committee of the Whole.

C. B. No. 109 was read second time.

On motion of Mr. McNutt the bill was referred to the Committee on Elections and Apportionments.

C. B. No. 100 was read second time, and referred to the Committee of the Whole.

C. B. No. 75 was read second time.

On motion of Mr. Bingham referred to the Judiciary Committee.

C. B. No. 73 was read second time.

On motion of Mr. Sheldon referred to Judiciary Committee.

H. B. No. 100 was read second time.

On motion of Mr. Rand, the rules were suspended, the bill read a third time and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, Mr. Speaker—23.

Noes—None.

So the bill passed.

Mr. McNutt moved to amend the title by making it read "a bill for an act to embarrass the members of the Constitutional Convention."

Withdrawn.

Title agreed to.

On motion of Mr. Rettberg House adjourned until 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

H. B. No. 101 was read second time.

On motion of Mr. Mills, referred to the Committee on Education.

The Committee on Enrollment submitted the following report:

MR. SPEAKER:—Your Committee on Enrollment beg leave to report back H. B. No. 36, correctly enrolled.

FREDERICK KRUSE,
Chairman.

Report received.

H. B. No. 102 was read second time.

On motion of Mr. McShane, referred to the Committee on Railroads.

The report of the Committee on Judiciary, on C. B. No. 19, was considered.

On motion of Mr. Kruse, the rules were suspended, the bill read a third time by title, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Bingham, Duhme, Everitt, Gurule, Kruse, Larned, Mills, McShane, Marshall, McNutt, Nimerick, Pisko, Rand, Rettberg, Yonley, and Mr. Speaker—16.

Noes—Messrs. Jaramilla, Patterson, Peyton, Sheldon, and Sanchez—5.

Mr. Apadaca excused from voting.

So the bill passed, title agreed to.

The report of the Committee on Judiciary, on H. B. No. 98, was, on motion of Mr. Marshall, adopted, and the bill ordered engrossed.

The report of the Committee on Elections and Apportionments, on H. B. No. 82, was, on motion of Mr. Kruse, adopted, and the bill ordered engrossed.

The report of the Committee on Elections and Apportionments, on C. B. No. 84, was adopted.

So the bill was indefinitely postponed.

The report of the Committee on Military Affairs, on C. B. No. 110, was, on motion of Mr. Rettberg, adopted.

Under suspension of rules the bill was read a third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

The report of the Committee on Incorporations, on H. B. No. 46, was, on motion of Mr. Kruse, adopted.

Under suspension of the rules the bill was read a third time and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Bingham, Duhme, Everitt, Gurule, Kruse, Larned, Mills, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—20.

Noes—Messrs. Apadaca and Jaramilla—2.

So the bill passed, title agreed to.

The report of the Committee on Incorporations, on H. B. No. 78, was, on motion of Mr. Kruse, adopted, and the bill referred to the Committee of the Whole.

The report of the Committee on Railroads, on H. B. No. 84, was considered.

On motion of Mr. Mills, the substitute was ordered printed.

C. B. No. 87 was read third time, and passed by the following vote:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

C. B. No. 54 was read third time.

Mr. McNutt moved further consideration on the bill be indefinitely postponed.

Mr. Marshall called for the ayes and noes.

On the question, those voting aye were Messrs. Bingham, Everitt, Kruse, Larned, Mills, McNutt, Pisko, Peyton, Rettberg, Smith, Sheldon, Sanchez, and Mr. Speaker—12.

Noes — Messrs. Apadaca, Duhme, Gurule, Jaramilla, McShane, Marshall, Nimerick, Patterson, and Rand—9.

Mr. Yonley was excused from voting.

So the bill was indefinitely postponed.

C. B. No. 46 was read third time, and put upon its final passage.

The vote resulted as follows.

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Sheldon, Sanchez, Yonley, and Mr. Speaker—21.

No—Mr. Rettberg—1.

So the bill passed, title agreed to.

H. B. No. 77 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Bingham, Larned, Mills, Pisko, Peyton, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—10.

Noes—Messrs. Apadaca, Duhme, Everitt, Gurule, Jaramilla, Kruse, McShane, Marshall, Nimerick, Patterson, and Rand —10.

Mr. McNutt excused from voting.

So the bill did not pass.

Messrs. Marshall and McShane explained as their reason for voting against the bill that it placed too much power in the hands of the County Commissioner.

H. B. No. 83 was taken up.

On motion of Mr. Rand, further action on the same was postponed until to-morrow.

H. B. No. 69 was read the third time.

Mr. Pisko moved to amend, by inserting after the word "expenses," in the third line of tenth section, the words, "together with all necessary expenses provided for by this act."

Carried, bill so amended, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Everitt, Kruse, Larned, Mills, McShane, Marshall, Pisko, Patterson, Peyton, Rand, Sheldon, Sanchez, and Mr. Speaker—14.

Noes — Messrs. Bingham, Duhme, Gurule, Jaramilla, McNutt, Nimerick, Rettberg, and Youley—8.

So the bill passed, title agreed to.

H. B. No. 92 was read third time.

On motion of Mr. McNutt, further action on the same was indefinitely postponed.

The House now took up the Special Order of the Day, H. B. No. 52.

On motion of Mr. Mills, the House went into Committee of the Whole for the consideration of the same.

Mr. Peyton in the chair.

After a time the committee arose, and reported as follows:

MR. SPEAKER:—The Committee of the Whole have had under consideration H. B. No. 52, and report the same back to the House, and recommend it do pass.

Mr. Marshall moved the report be adopted, except that portion referring to H. B. No. 52.

Mr. Sheldon moved to amend the motion, and that the report be adopted.

Motion and amendment lost.

So the House refused to adopt the report.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 4, 1876.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has indefinitely postponed the further consideration of H. B. No. 30; that the Council has passed substitute for H. B. No. 86; that the Council has indefinitely postponed the further consideration of substitute for H. B. No. 71; that the Council has passed H. B. No. 20; that the Council has concurred in House amendments to substitute for C. B. No. 4, and in the House amendments to C. B. No. 62; that the Council has passed H. B. No. 89, amended as follows: By inserting in fourth line of sec. 1, after the word "counties," the word "respectively"; by inserting in the thirteenth line of sec. 2, after the word "counties," the words, "mentioned in this act"; by striking out, from the second line of sec. 3, the word "required," and inserting in lieu thereof the word "authorized"; and by inserting in third line of said section, after the word "county," when it first occurs, the words, "authorized to be." Also C. B. No. 74, "for an act concerning the exemption of wages;" C. B. No. 86, "for an act to amend an act to provide for the assessment and collection of revenue, approved February 11, 1870;" C. B. No. 107, "for an act to amend the charter of the city of Central;" C. B. No. 127, "for an act to establish a Territorial road in Gilpin county;" C. B. No. 68, "for an act to amend an act entitled 'an act to amend chap. 88 of the Revised Statutes,' entitled 'Venue,' approved February 3, 1872."

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

Under suspension of the rules, the following bills were introduced:

Mr. Marshall introduced H. B. No. 109, "a bill for an act to provide for the trial of causes in the District Court."

Mr. McShane introduced H. B. No. 110, "a bill for an act to amend chap. 30 of the Revised Statutes, entitled 'Evidence and Depositions.'"

H. B's No's 109 and 110 read first time.

Under further suspension of the rules read second time, and referred to the Committee on Judiciary.

The House now went into Committee of the Whole on General File.

Mr. McNutt in the chair.

The committee arose, and reported as follows:

MR. SPEAKER:—The Committee of the Whole have had under consideration C. B. No. 21, and report the same back to the House, and recommend it be referred to the Committee on Education; S. C. B. No. 112, and report same back, and recommend it do pass; C. B. No. 92, and report same back to the House, without recommendation; C. B. No. 100, and report same back, and recommend it do pass. The committee have also had under consideration H. B. No. 78, and made some progress, and ask leave to sit again.

R. J. McNUTT,
Chairman.

On motion of Mr. Pisko the report was adopted, and leave granted.

On motion of Mr. Jaramilla, the House adjourned.

EVENING SESSION.

House met at seven o'clock.

Speaker in the chair.

Quorum present.

The House went into Committee of the Whole.

Mr. Bingham in the chair.

The committee arose, and reported as follows:

MR. SPEAKER:—The Committee of the Whole have had under consideration H. B. No. 78, and recommend it be amended in sec. 2, by striking out, in the second line, the character "&" and letter "c," and insert in lieu thereof the words, "and other necessary appliances;" amend sec. 4, by inserting after the word "hand," in the seventh line, the words, "and the amount of capital, and proportion actually paid in;" and strike out all after the word "liable," in ninth line, and

insert in lieu thereof the words, "for all the debts of the company then existing, and for all that shall be constructed upon such report shall be made;" amend sec. 7, by striking out in the 15th line, the word "daily," and in the 16th line strike out the words "two-thirds," and insert the words "three-fourths" in lieu thereof; amend sec. 8, by striking out in the 6th line the word "daily," where it appears the second time, and in the 7th line strike out the words, "for ten consecutive days," and insert in lieu thereof the words, "for three insertions;" amend sec. 13, by inserting after the word "corporations," the words, "incorporated under this act;" also in sec. 12, strike out the words, "or equal parts thereof," and as so amended the bill do pass.

FRANK BINGHAM,
Chairman.

On motion of Mr. McNutt, the report was adopted.

Mr. Gurule introduced, by leave, H. B. No. 111, "a bill for an act concerning ditches in Las Animas county."

Read first time. and referred to the Printing Committee.

On motion of Mr. Patterson, H. B. No. 60 was taken from the table.

Mr. Patterson offered the following amendment: "Sec. 2. In all actions of ejectment hereafter brought to prevent the entry of mining property under the act of Congress of May 10, 1872, and the amendments thereto, the burden of proof shall be on the party making such application to enter such mining property, and such applicant shall establish, to the satisfaction of the jury (or Court, if tried by the Court), of his right to enter the said mining property in controversy."

Amendment adopted.

On motion of Mr. McNutt, the bill was referred to the Committee on Engrossment.

On motion, the House adjourned.

TWENTY-EIGHTH DAY.

SATURDAY, February 5, 1876—10 o'clock a. m.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.

Absent—Messrs. Duhme, Jaramilla and Marshall.

Messrs. Duhme and Jaramilla were excused.

Quorum present.

Journal read and approved.

Mr. Rand presented a petition from citizens of Boulder county, asking that the laws relating to fees and salaries in Arapahoe county be made applicable to Boulder county; also a remonstrance against the same.

Received.

Mr. Sheldon presented the following;

DENVER, Colorado, February 5, 1876.

MR. SPEAKER:

Your Committee on Finance, Ways and Means, beg leave to herewith report the General Appropriation Bill, and to submit an approximate estimate of the financial affairs of the Territory for the fiscal year 1876–1877.

EXPENSE.

	For the present year.	For 1876.
Judges Salary	$ 12,000 00	6,000 00
Officers	29,000 00	14,500 00
Penitentiaey, regular expenses	36,000 00	18,000 00
" deficiency for the fis-year 1874–1875	7,250 00	7,250 00
Pen't'ry, enlargement of building,	6,000 00	6,000 00
Governor's contingent fund	2,500 00	1,250 00
General " "	4,000 00	2,000 00
Auditor's " "	1,000 00	500 00
Treasurer's " "	800 00	400 00
Librarian " "	1,500 00	750 00
Adj.-Gen'l " "	200 00	100 00
Superintendent of Public Instruction fund	700 00	350 00
Supreme Court Library	1,000 00	500 00
Clerk Supreme Court	500 00	250 00
District Attorneys	4,800 00	2,400 00
Legislative pr't'g, current ssession,	3,150 00	3,150 00
Spanish " "	1,000 00	1,000 00
Incidental " fiscal year	1,000 00	500 00

Translation of documents into Spanish and German.....	175 00	175 00
Legislative employes, both Houses,	1,500 00	1,500 00
Incidental expenses, "	1,000 00	1,000 00
Legislative Committees.....	250 00	250 00
Expenses for extra pay to clerks completing the journal after 11th session.....	350 00	350 00
Deficiency bill, covering outstanding bills against the Territory, found to be just by your Committee.....	6,077 38	6,077 38
Apprehension of fugitives from justice.....	1,000 00	500 00
Insane pauper fund.....	2,000 00	1,000 00
Appropriations—Colorado U'v's'y	7,500 00	7,500 00
" Deaf and Dumb Institute.....	7,000 00	7,000 00
Appropriations—School of Mines..	3,500 00	3,500 00
Total of regular expenses for the Territorial household	$142,752 38	
To which amount ought to be added for the Constitutional Convention now in session, the sum of.....	20,000 00	
For the legislative session of the new State of Colorado, the sum of	25,000 00	
Grand total.....	$187,752 38	
Of this grand total, the sum of will be drawn on the Treasurer of the Territory during and within the year 1876.		$93,752 36

RESOURCES—AS PER ESTIMATE OF THE AUDITOR.

Balance in the Treasury January 1, 1876.....	2,500 00
Delinquent taxes.....	8,800 00
Taxes for 1875.....	69,000 00
" 1876.....	75,000 00
	$155,300 00

In view of the fact that the taxes levied in the year 1877 are only available in the year 1878, your Committee have not included in their estimate of the "Resources," the tax for the year 1877.

It is safe to presume that from the estimate of $155,300.00, there will be available at the end of the year 1877, $145,000 only resulting in a deficit at the end of the present fiscal year amounting to $45,000 to $50,000.

To cover the deficit your Committee would recommend the passage of the Bill introduced by them to-day, providing for the levy and assessment of Territorial taxes for the years 1876—1877.

The "Resources" would then be as follows, in round figures:

Balance on hand in Territorial Treasury.	$ 2,500 00
Delinquent taxes due January 1st, 1875.....	8,000 00
Taxes for 1875.....	69,000 00
" " 1876 2½ mills.....	110,000 00
Total.....	$189,500 00

or about $1,800 over the estimated expenses for the year 1876 and 1877.

All of which is respectfully submitted.

Report received and placed on file for first reading.

Mr. Rand reported as follows:

MR. SPEAKER.—The Committee on Irrigation have had under consideration H. B. No. 108, and recommend that it do pass. We have also had under consideration the petition from the citizens of Colorado, and report it back to the House without recommendation, believing that the law now on the statute books is sufficient, if enforced.

Respectfully submitted,

GEORGE RAND,
Chairman.

Report received.

Mr. Peyton submitted the following:

MR. SPEAKER:—Your Committee on County and County Lines, to whom was referred Council Bill No. 116, ask leave to report the same back to the House with a recommendation that it do pass.

I. N. PEYTON,
Chairman.

Report received.

Mr. Pisko, reported as follows:

MR. SPEAKER:—The Committee on Engrossment, to whom were referred House Bills No's 60, 82, and 98, and Council Bill No. 89, beg leave to report that they have examined the same and find them correctly engrossed as amended.

Respectfully submitted,
EDWARD PISKO,
Chairman.

Report received.

Mr. Bingham reported as follows:

MR. SPEAKER:—The Joint Committee on Enrollment, beg leave to report that Council Bills No's 64, 56, 18, 15, 52, 15, 99, and 1, and House Bills No's 61, 72, 55, and House Joint Memorial No. 3, were presented to the Governor for his approval at 2 o'clock p. m., February 4, 1876.

FRANK BINGHAM,
Chairman House Joint Enrolling Committee.

Report received.

Mr. Pisko submitted the following report:

MR. SPEAKER:—Your Committee on Education, to whom was referred House Bill No, one hundred and one (101), beg leave to report that they have had the same under consideration. Anxious to discharge the grave and important duty assigned to them, your Committee ransacked heavy and light essays on education, and as far as time permitted, they examined all Territorial legislative enactments on education, inclusive the little of Council Bill No. 21. They investigated all acts and parts of acts inconsistent with such enactments, and confess themselves unequal to the task before them.

Fortunately, however, your Committee remember that the gentleman who moved that House Bill No. 101 be referred to your Committee, in a discussion which took place during the session, uttered the sentiment that a lawyer must be acquainted not only with one, but with all subjects. Now, your Committee consider that all subjects include the subject of elevation and improvement of the horse in Colorado, and they therefore recommend that House Bill No. 101, be referred to a select committee, consisting of Messrs. Mills, Smith and Marshall. Your Committee hope that this Honorable Body will endorse their recommendation.

Respectfully submitted.

EDWARD PISKO,
Chairman.

Received, and on motion of Mr. McNutt report was adopted.

Mr. Smith submitted the following:

MR. SPEAKER:—The Committee on Territorial Affairs have considered H. B. No. 73, entitled "an act to preserve the public health," report the same without recommendation.

E. L. SMITH,
Chairman.

Report received.

Mr. Larned reported as follows:

MR. SPEAKER:—The Committee on Printing report back substitute House Bill No. 24, and House Bills No's 103, 105, 106, and 107, and they are believed to be correctly printed.

W. LARNED,
Chairman.

Report received.

C. S. H. B. No. 50 was considered.

On motion of Mr. Meldrum the rules were suspended, the bill read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—20.

Noes—None.

So the bill passed, title agreed to.

The amendments proposed by the Council to H. B. No. 89 were, on motion of Mr. McNutt concurred in.

Mr. Smith moved the House recede from its amendments to C. B. No. 70.

Mr. Kruse called for the ayes and noes on the question.

Those voting aye were Messrs. Apadaca, Bingham Everitt, Gurule, Larned, Mills, Meldrum, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sanchez, Yonley, and Mr. Speaker—17.

Noes—Messrs. Kruse, McShane, Marshall, McNutt, and Sheldon—5.

So the motion carried.

Mr. Pisko offered the following resolution, and moved its adoption:

Resolved, by the House of Representatives of Colorado Territory, the Council concurring, that the Chief Clerk of the House and Secretary of the Council, respectively, are hereby directed to strike out from the respective Journals of both Houses, all notices for the introduction of bills given in either House during the Eleventh Session of the Legislative Assembly, and the words "previous notice having been given," wherever they appear in said Journals.

The ayes and noes were called for.

Those voting aye were Messrs. Bingham, Larned, Mills, Meldrum, Marshall, Nimerick, Pisko, Patterson, Rand, Rettberg, Smith Sheldon, Sanchez, and Mr. Speaker—14.

Noes—Messrs. Apadaca, Everitt, Kruse, McShane, McNutt, and Peyton—6.

Messrs. Gurule and Yonley excused from voting.

So the resolution was adopted.

Mr. Kruse offered the following resolution and moved its adoption.

Resolved, That the rules stand suspended for this day, so as to allow any member of this House to introduce bills at any time during the day and evening sessions.

Lost.

Mr. Rand introduced H. B. No. 112, "a bill for an act relating to feesand salaries in Boulder and Jefferson county."

Mr. Mills introduced H. B. No. 113, "a bill for an act to amend an act entitled 'an act to provide for the assessment and collection of revenue.'"

Mr. Mills introduced H. J. M. No. 5, a memorial to the Senate and House of Representatives of the United States in Congress assembled, concerning wood and timber on public lands.

Mr. Peyton introduced H. B. No. 114, "a bill for an act to legalize roads and highways in Saguache county:"

The Committee on Finance, Ways and Means, introduced H. B. No. 115, "an act to provide for the levy and assessment of Territorial taxes for the fiscal year 1876, 1877;" also H. B. No. 116, "a bill for an act to provide for the several expenses of the Territory for the years 1876 and 1877, and for outstanding bills against the Territory, on December 31, 1875."

H. B's No's 112, 113, 114, 115, and 116, and H. J. M No. 5, were read first time and referred to the Committee on Printing.

H. B. No. 107 was sead record time.

On motion of Mr. McShane referred to the Committee on Incorporations.

C. B. No 127 was read second time.

On motion of Mr. Kruse the rules were suspended, the bill read a third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Kruse, Larned, Mills, McShane, Marshall, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—20.

Noes—None.

Mr. McNutt excused from voting.

So the bill passed, title agreed to.

S. C. B. No. 68, C. B's No's 86 and 74, read second time and referred to the Committee of the Whole.

Mr. Sheldon moved the rules be suspended, and H. B's No's 115 and 116 be taken up, and read second time.

Carried.

Bill read second time.

On motion of Mr. Pisko, made the special order of the day.

S. H. B. No. 84, and H. B's No's 103, 105, and 106, were read second time, and referred to the Committee of the Whole.

H. B. No. 107 was read second time.

On motion of Mr. Gurule, referred to the Committee on Roads and Bridges.

The report of the Committee on Irrigation, on H. B. No. 108, was, on motion of Mr. Pisko, adopted.

Under suspension of the rules, read third time.

Mr. Marshall moved the bill be amended by inserting the word "park," after the word "Boulder," where it occurs in the bill, and title thereof.

Carried.

Bill so amended, and under further suspension of the rules, put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

The Committee on Enrollment reported as follows:

MR. SPEAKER:—We, your Committee on Enrollment, beg leave to report back H. B. No. 20, correctly enrolled.

FRED. KRUSE,
Chairman.

Reports received.

The report of the Committee on County and County Lines, on C. B. No. 116 was, on motion of Mr. Peyton, adopted.

On motion of Mr. Rettberg, the rules were suspended, the bill read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

The report of the Committee of the Whole, on H. B. No. 52, was, on motion of Mr. Pisko, adopted.

On motion of Mr. Smith, the House adjourned until two o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

Quorum present.

Under suspension of the rules, Mr. Smith introduced H. B. No. 117, "a bill for an act to amend chapter 18 of the Revised Statutes of Colorado Territory, entitled 'Corporations.'"

Read first time, and referred to the Printing Committee.

Under suspension of the rules, Mr. Marshall presented a petition from citizens of Lake county, remonstrating against said county being attached to Park county for judicial purposes.

Read, and referred to the Committee on Judiciary.

Mr. Kruse reported as follows:

MR. SPEAKER:—We, your Committee on Enrollment, beg leave to report back substitute for H. B. No. 86, and H. B. No. 89, correctly enrolled.

FREDERICK KRUSE,
Chairman.

Reports received.

C. B. No. 92 was read third time.

Mr. Pisko moved to amend the bill, by inserting after the word "Territorial," the words, "where no newspaper is published."

Carried.

On motion of Mr. Peyton, further action was indefinitely postponed.

C. B. No. 89 was read third time, and passed by the following vote:

Ayes—Messrs. Bingham, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

Title amended by striking out the word "thirty," and inserting the word "twenty," in lieu thereof.

As amended, agreed to.

C. B. No. 100 was read third time.

The vote on final passage resulted as follows:

Ayes—Messrs. Apadaca, Everitt, Gurule, Kruse, Larned,

Meldrum, McShane, Marshall, Nimerick, Pisko, Peyton, Rand, and Rettberg—13.

Noes—Messrs. Bingham, Mills, McNutt, Patterson, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—10.

So the bill did not pass

C. B. No. 112 was read third time, and passed by the following vote:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

Title agreed to.

Mr. Pisko reported as follows:

MR. SPEAKER:—Your Committee on Engrossment, to whom was referred H. B. No. 78, beg leave to report that they have examined the same, and find it correctly engrossed, as amended.

Respectfully submitted,

EDWARD PISKO,
Chairman

Report received.

Mr. Sheldon moved the vote by which the House refused to pass C. B. No. 100, be reconsidered.

Motion carried.

Mr. Sheldon now moved to amend the bill by inserting, after the word "collection," in the first line, the words, "and there is no funds to pay the same."

Carried.

Mr. Trippe moved to strike out all after the word "thereof," in the second line.

Lost.

The bill was put upon its final passage.

The vote resulted as follows.

Ayes—Messrs. Apadaca, Bingham, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, and Mr. Speaker—17.

Noes—Messrs. Everitt, McNutt, Patterson, Trippe, and Yonley—5.

So the bill passed, title agreed to.

Under suspension of the rules, Mr. Smith introduced H. B. No. 118, "a bill for an act concerning the Probate Court of Arapahoe county."

By unanimous consent of the House, Mr. Peyton introduced H. B. No. 119, "a bill for an act in relation to road law in Lake and Saguache counties"

H. B's No's 118 and 119 read first time, and referred to the Committee on Printing.

H. B. No. 83 was read the third time.

On motion of Mr. Sheldon, section 5 was stricken out.

The bill passed by the following vote:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt. Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

Title agreed to.

On motion of Mr. Kruse, the rules were suspended, H. B. No. 78 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

Mr. Smith excused from voting.

So the bill passed, title agreed to.

H. B. No. 52 was taken up.

Mr. Pisko moved the rules be suspended, the bill read a third time by title, and put upon its final passage.

Motion withdrawn.

Mr. McNutt moved to amend the bill by striking out section 8, and inserting in lieu thereof the following: "Sec. 8. This act shall take effect from and after its passage by the next Legislature, and its approval by the Governor."

Mr. Pisko moved the previous question be put.

Carried, and the bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Larned, Mills, Pisko, Peyton, Rand, Smith, Sheldon, Sanchez, and Mr. Speaker—13.

Noes—Messrs. Kruse, Meldrum, McShane, Marshall, McNutt, Nimerick, Patterson, Rettberg, and Yonley—9.

So the bill did not pass.

S. H. B. No. 82 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Patterson, Peyton, Rand, Smith, Sheldon, Yonley, and Mr. Speaker—16.

Noes—Messrs. Bingham, Everitt, Nimerick, Pisko, and Sanchez—5.

Excused—Mr. Rettberg.

So the bill passed, title agreed to.

H. B. No. 60 was read third time.

On motion of Mr. McNutt, referred to the Committee on Printing.

S. H. B. No. 98 was read third time, and passed by the following vote:

Ayes—Messrs. Apadaca, Bingham, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

No—Mr. Everitt—1.

Title agreed to.

The House now took up the special order of the day, H. B's No's 115 and 116.

On motion of Mr. Sheldon, the bills were ordered printed.

The House now went into Committee of the Whole for the consideration of bills on General File.

Mr. Peyton in the chair.

The committee arose, and reported as follows:

MR. SPEAKER:—The Committee of the Whole have considered H. B. No. 12, and report the same back to the House, without recommendation: C. B. No. 39, and recommend it be amended in section 1, by inserting, after the word "country," the words, "or to establish and maintain colleges, seminaries, libraries, or any religious, charitable, benevolent, or scientific association;" strike out sections 5 and 7, and add the following as a new section to the bill: "That any religious, educational, library, or other incorporation intended for the benefit of all persons who will avail themselves of the privileges thereof, and any person who is the trustee for any fund designed to aid and benefit any of the purposes before mentioned, may receive gifts, devices and bequests of either real or personal property for such use or purpose," and, as so amended,

report the bill back to the House, without recommendation; H. B. No. 106, and report it back, and recommend it do pass; H. B. No. 105, and recommend it do pass.

I. N. PEYTON,
Chairman.

On motion of Mr. McNutt, the report was adopted.

Under suspension of the rules, Mr. Smith introduced H. B. No. 120, "a bill for an act amending section 38, chapter 50, Revised Statutes of Colorado."

Read first time, and referred to the Committee on Printing.

Mr. Marshall introduced H. B. No. 121, "a bill for an act to amend chapter 83 of the Revised Statutes, entitled 'Roads and Bridges.'"

Read first time.

Under further suspension of the rules, read second time, and referred to the Committee on Judiciary.

By unanimous consent, Mr. McNutt introduced H. B. No. 122, "a bill for an act to amend section 111 of the Criminal Code."

Under suspension of the rules, read first and second time, and referred to the Committee on Judiciary.

On motion, the House adjourned until Monday, at 10 o'clock a. m.

TWENTY-NINTH DAY.

MONDAY, February 7, 1876, 9:30 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Duhme, Gurule, Mills, and Smith.

Quorum present.

Journal read.

On motion of Mr. Rand, the reading of that portion of the Journal embracing the report of the Committee on Finance, Ways and Means, was dispensed with.

Journal approved.

During the reading of the Journal, Messrs. Duhme, Gurule, Mills, and Smith appeared, and took their seats.

Mr. Marshall presented a petition from citizens of Lake county, protesting against said county being attached to Park for judicial purposes.

Read, and referred to the Judiciary Committee.

Mr. Pisko reported as follows:

MR. SPEAKER:—Your Committee on Engrossment, to whom was referred H. B's No's 105 and 106, beg leave to report that they have examined the same, and find them correctly engrossed.

Respectfully submitted,
EDWARD PISKO,
Chairman.

Report received.

Mr. Pisko submitted the following report:

MR. SPEAKER:—Your Committee on Education, to whom was referred C. B. No. 21, have had the same under consideration, and beg leave to report the same back to the House, with the following amendments: That section 1 of the bill be amended, by striking out in the last line therefrom the word "people," and inserting instead, the words, "qualified voters"; that section 17 of the bill be amended, by striking out in said section all after the word "act," and by inserting instead the following words: "He shall, upon information from the Superintendent of Public Instruction, or after being personally served by the Board of County Commissioners with a written order to report within ten days, and having failed to do so, forfeit the sum of one hundred ($100) dollars, which sum the Board of County Commissioners may deduct from any sum due him: said forfeit may, however, in all cases, be recovered by suit upon his official bond." That section 62 of the bill be amended by inserting, in the eighth line thereof, after the word "per cent.," the words, "and no more"; that section 63 of the bill be amended, by inserting, in the third line thereof, after the word "district," the words, "of the first class," and the school boards of the district of the second class that may have voted to levy a special tax. And your committee recommend that the bill, so amended, do pass.

Respectfully submitted,
EDWARD PISKO, Chairman,
J. C. McSHANE,
A. Z. SHELDON,
FRANK BINGHAM.

Report received.

Under suspension of the rules, Mr. Pisko submitted the following report:

MR. SPEAKER:—Your Select Committee, to whom was referred substitute for C. B. No. (66) sixty-six, have given the same careful consideration, and beg leave to report it back to the House, with the following amendments: Your committee recommend that section four (4) of the bill be amended, by inserting, after the word "elect," in the eleventh (11) line thereof, the words, "one of their number," and by striking out the word "a," before the word "major," in the same line; that section (6) six of the bill be stricken out; that section (10) ten of the bill be amended, by adding thereto: "And by adding to said section 23 the following words: 'and no warrant shall be drawn upon the City Treasury at any time, unless there be funds in such treasury for the payment thereof, and if any warrant shall be drawn upon the City Treasury, when there are no funds in such treasury subject to the payment thereof, such warrant shall be invalid, and of no effect as against the city of Denver, and the drawer thereof shall be personally liable thereon;'" that section (11) eleven of the bill be stricken out; that section (13) thirteen of the bill be stricken out; that section (14) fourteen of the bill be stricken out, and in lieu thereof the following inserted: "That section (3) three of article (7) seven of this act, to which this act is amendatory, be hereby amended by striking out from the (12) twelfth line thereof, the words, 'from the passage of this act.'" That section (18) eighteen of the bill be amended, by striking out the word "unanimous," where it appears in said section, and by inserting in lieu thereof the words, "or three-fourths"; that section (20) twenty of the bill be stricken out; that section (21) twenty-one of the bill be amended, by adding thereto the following words: "Provided that the regular policemen in service at the time of the passage of this bill shall be held to be the regular police force, holding their positions under the provisions of this act." And your committee recommend the passage of the bill, so amended.

Respectfully submitted,
EDWARD PISKO, Chairman,
J. C. McSHANE,
R. J. McNUTT.

On motion of Mr. McNutt, the report was adopted, and the committee discharged.

Mr. Bingham reported as follows:

MR. SPEAKER:—The House Joint Committee on Enrollment would beg leave to report that they have examined H. B's No's 36, 20, 86, and 89, and find them to be correctly enrolled.

FRANK BINGHAM,
Chairman.

Received.

Mr. Mills, of committee, submitted the following several reports:

MR. SPEAKER:—The Committee on Judiciary fully considered H. B. No. 104, "an act relating to bonds, bills of exchange, and promissory notes," and report the same back, with the recommendation that the third and fourth sections of said bill be stricken out, and as so amended the bill do pass.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary report back C. B. No. 78, "an act concerning 'Practice,'" and recommend its passage.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary have considered C. B. No. 75, "concerning the jurisdiction of Justices of the Peace," and report same back, without recommendation.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary have considered substitute C. B. No 22, "to repeal an act entitled an act to amend chapter 59 of the Revised Statutes, entitled 'Marriages,' and for other purposes," and report the same back with the recommendation that it do pass.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary have considered C. B. No. 73, "an act to allow the assignment of claims," and report the same back, with the recommendation that it do pass.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary have had under consideration H. B. No. 109, "an act to provide for the trial of causes in the District Courts." and report the same back, without recommendation.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary have considered H. B. No. 122, "an act to amend section 3 of the Criminal Code," and report the same back, with the recommendation that it be referred to the Committee of the Whole.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary have considered H. B. No. 110, to amend chapter 30 of the Revised Statutes, entitled "Evidence and Depositions," and report the same back with the recommendation that it do pass.

WM. B. MILLS,
Chairman.

MR. SPEAKER:—The Committee on Judiciary have considered H. B. No. 97, "an act providing for the fencing of lands where grass is cut and put in stacks, in Las Animas county," and report the same back, without recommendation.

WM. B. MILLS,
Chairman.

Reports received.

Mr. Sheldon, of committee, submitted the following report.

MR. SPEAKER:—Your Committee on Finance, Ways and Means, to whom was referred C. B. No. 76, have considered the same, and beg to report that sec. 1 be amended before the word "acts," in said section, by inserting the word "general," and after the word "assembly," by inserting, "and

those having specific application to the counties of Costilla, Conejos, Las Animas, Huerfano, and Saguache;" that section 2 be amended by giving to Costilla and Conejos counties forty copies respectively, and the county of Huerfano fifty copies; that section 3 be amended to read, "twelve hundred dollars ($1,200)," instead of "fifteen hundred," and so amended, recommend that it do pass.

Respectfully submitted,

A. Z. SHELDON,
Chairman.

Received.

Mr. Larned reported as follows:

MR. SPEAKER:—Your Committee on Printing report back H. J. M. No. 5, substitute H. B. No. 60, and H. B's No's 111, 112, 113, 114, 115, 116, 117, 118, 119, and 120, and they are believed to be correctly printed.

W. LARNED,
Chairman.

Report received.

On motion of Mr. Trippe, the rules were suspended, S. C. B. No. 66, as amended, was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe. Yonley, and Mr. Speaker—21.

Noes—Messrs. Jaramilla and Patterson—2.

Mr. Duhme excused from voting.

So the bill passed, title agreed to.

Mr. Rand moved that a message be sent to the Council, requesting that C. B. No. 127 be returned to the House of Representatives of Colorado for reconsideration; and he also gave notice that he would move for a reconsideration of the vote by which the House passed the aforesaid bill.

Motion carried.

H. B. No. 111 was read second time.

On motion of Mr. Rand, referred to the Committee on Irrigation.

H. B. No. 112 was read second time.

On motion of Mr. Rand, referred to the Committee on Centennial.

H. B's No's 113 and 115 were read second time, and referred to the Committee of the Whole.

H. B. No. 114 was read second time.

On motion of Mr. Peyton, referred to the Committee on Roads and Bridges.

H. B. No. 117 was read second time.

On motion of Mr. Mills, the bill was amended by inserting after the word "devise," in the fourth line, the word "grant."

As so amended the bill was referred to the Committee of the Whole.

H. B. No. 118 was read second time.

On motion of Mr. McNutt, further action on the bill was indefinitely postponed.

H. B. No. 116 was taken up.

On motion of Mr. Pisko, second reading was dispensed with, and the bill made the special order of the day for to-day.

Under suspension of the rules, H. B. No. 119 was taken up, the second reading dispensed with, and the bill referred to the Committee on Roads and Bridges.

H. B. No. 120 was read second time.

On motion of Mr. McNutt, referred to the Committee on Judiciary.

H. J. M. No. 5 was read second time.

Mr. McNutt moved the rules be suspended, the Memorial be read a third time, and put upon its final passage.

Motion withdrawn.

Mr. Sheldon moved to amend the Memorial, by inserting, after the word "represent," in the second line, the following: "That the right to take wood and timber from the public lands is indispensable to the settlement of all new countries; that generally the timbered lands of such countries are unavailable to its citizens by purchase, through the neglect to survey, and properly place in market."

Carried.

Mr. Duhme moved to further amend, by inserting, after the word "fuel," the word "fences."

Carried.

On motion of Mr. McNutt, the Memorial, as amended, was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

No—Mr. Rettberg—1.

So the bill passed, title agreed to.

On motion of Mr. Pisko, the report of the Committee on Education, on C. B. No. 21, was adopted, and placed on file for third reading.

The report of the Committee on Judiciary, on H. B. No. 104, was, on motion of Mr. McNutt, adopted.

The report of the same committee, on H. B. No. 97, was, on motion, adopted, and the bill and report referred to the Committee on Irrigation.

The report of the same committee, on C. B. No. 78, and S. C. B. No. 22, was, on motion, adopted.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 7, 1876.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has complied with request from the House, and return herewith C. B. No. 127.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

Mr. Rand moved the rules be suspended, and the vote on the final passage of C. B. No. 127, be reconsidered.

Carried.

On motion of Mr. Kruse, further action on the bill was postponed until Wednesday next.

On motion of Mr. Pisko, the report of the Judiciary Committee on C. B. No. 75 was adopted, and the bill placed on file for third reading.

The report of the Judiciary Committee, on H. B. No. 109, was, on motion of Mr. Marshall, adopted, and the bill referred to the Committee of the Whole.

The report of the Judiciary Committee on H. B. No. 110, was, on motion of Mr. McShane, adopted.

The report of the Judiciary Committee on H. B. No. 122. was, on motion of Mr. Mills, adopted, and the bill referred to the Committee of the Whole.

The report of the Judiciary Committee on C. B. No. 73, was, on motion of Mr. Mills, adopted.

Mr. Trippe was excused from further attendance during the forenoon session.

Under suspension of the rules, Mr. McNutt offered the following resolutions:

No. 1. *Resolved*, That hereafter no member of the House shall be excused from attendance except in case of sickness of such member.

Mr. Kruse moved to amend, by inserting, "or his family."

Motion lost.

Question now being on the original resolution, Mr. Rand moved to amend, by excepting the member from the Fifth District.

Lost.

Resolution lost.

No. 2. *Resolved*, That the afternoon sessions of the House shall hereafter commence at half-past one.

Lost.

The report of the Finance, Ways and Means Committee, on C. B. No. 76, was, on motion of Mr. Sanchez, adopted.

On motion of Mr. Sanchez, the rules were suspended, and the bill put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, Mr. Speaker—22.

No—Mr. Meldrum—1.

So the bill passed, title agreed to.

On motion of Mr. Sheldon, the House adjourned until two o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

House met pursuant to adjournment.

Speaker in the chair.

C. B. No. 39 was read third time, and on motion of Mr. Trippe, further consideration of the bill was indefinitely postponed.

C. B. No. 78 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

So the bill passed, title agreed to.

Under suspension of the rules, Mr. Patterson presented a petition from the citizens of Boulder county, remonstrating against the division of that county.

S. C. B. No. 22 was read third time, and passed by the following vote:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills ,Meldrum, Marshall, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Yonley, and Mr. Speaker—20.

No—Mr. Patterson—1.

Title agreed to.

The following messages were received from the Council:

COUNCIL CHAMBER,
DENVER, February 7, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has concurred in House Joint Resolution concerning the Journals of both Houses, and that the Council has passed the following:

H. B. No. 100.

C. B. No. 81, for an act for the maintenance and support of illegitimate children.

H. B. No. 68 amended as follows: add at end of sec. 4 the following: "Nor shall anything in this act delay or defeat

the granting of title by said city or Mayor thereof, to any party who shall have before the passage of this act, made application to said city or the Mayor thereof, for title to any lot or lots or lands within said city; provided, such party making claim to any such lot or lots, or lands, shall have possessory or legal title thereto."

C. C. No. 102, for an act to prevent the use of water in meadow lands in the county of Huerfano in certain months.

C. B No. 33, for an act concerning costs in criminal cases.

H. B. No. 21 amended as follows: By striking out the word "Pueblo" wherever it occurs, and by inserting after the word "Douglas" in first line of said bill, the words "Elbert, Weld, Larimer, Fremont, Las Animas, Huerfano," and the title is amended by striking out therefrom all after the word "Douglas," and insert in lieu of the words stricken out, the words "and other counties."

C. B. No. 117 for an act for the pardon of insane criminals.

C. B. No. 118 for an act to amend an act entitled "an act to amend an act entitled an act regulating the branding, herding, and care of stock," approved February 9, 1872.

C. B. No. 122 for an act to protect stakes, monuments, and landmarks on mining and lode claims.

The concurrence of the House is requested.

Also the following:

Be it resolved by the Council and House of Representatives of Colorado Territory:—1. That immediately after the adjournment of the present session of the Legislative Assembly, the Secretary of the Territory is hereby instructed to furnish the Territorial Auditor with certified copies of all laws passed during the session, appropriating monies out of the Territorial Treasury.

2. That the Territorial Auditor is hereby authorized and instructed to draw his warrant on the Territorial Treasurer in an amount sufficient to pay the Secretary for the clerical labor necessary in furnishing the copies of laws as aforesaid.

The concurrence of the House is requested.

Also that the Council has concurred in House amendments to Council Bills numbered 89 and 100; and that the Council has passed the following: H. B. No. 95; C. B. No. 105, for an act providing for the election of Territorial officers; H. B. No.

22; C. B. No. 95 for an act to amend an act entitled "an act to provide for the further execution of the trust relating to the town-site of the City of Denver, and to regulate the same," approved February 8, 1872. And that the Council has indefinitely postponed further action on House Joint Memorial No. 4.

The concurrence of the House is requested as to the Council Bills transmitted herewith.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

C. B. No. 21 was taken up.

Mr. Patterson moved the rules be suspended, the bill be considered, read a third time, and put upon its final passage.

Motion lost.

C. B. No. 21 was put upon its third reading.

During the reading of the bill Mr. Peyton moved a recess of ten (10) minutes.

Carried.

House called to order at the expiration of ten minutes.

Mr. Sheldon moved to amend the bill by substituting the word "after" for the word "of," in the 8th line of sec. 66.

Carried; bill so amended.

Mr. Trippe moved to amend by adding following, to be called sec. 82: "Every citizen of the United States twenty-one (21) years of age, who shall have resided in the Territory of Colorado six (6) months, and within the School District thirty (30) days immediately preceding the day of election, shall be deemed a qualified elector, and eligible to fill any office under the provisions of this act."

Amendment adopted.

Mr. Smith moved to amend by inserting in the 2nd sec., line 2, before the word "Territory" the words "People of the."

Carried.

Mr. Meldrum moved to amend in the 7th section by striking out "$1,000" and insert in lieu thereof "$500."

Motion carried.

Mr. Everitt moved to strike out the word "six" wherever it effects the ages of children, etc.

Lost.

The bill as amended passed by the following vote:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall,

McNutt, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—25.

Noes—None.

Title agreed to.

H. B. No. 60 was read third time and put upon its final passage.

The vote resulted as follows:—

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Yonley, and Mr. Speaker—19.

Noes—Messrs. McShane, Marshall. Smith, Sanchez, and Trippe—5.

So the bill passed, title agreed to.

H. B. No. 105 was read third time and passed by the following vote:

Ayes—Messrs Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

Noes—None.

Title agreed to.

H. B. No. 106 was read third time.

Mr. McShane moved to amend in twelfth line of sec. 1, by striking out the words and figures "seven (7)" and insert in lieu thereof the words and figures "five (5)."

Motion carried; bill so amended.

Mr. Kruse moved to amend the bill so that Gilpin county should be excepted from the provisions of this act.

Carried.

Mr. Everitt moved to further amend by excepting Jefferson county from the provisions of the bill.

Carried; bill so amended.

Mr. Trippe moved the vote by which the House adopted the amendment proposed by Mr. McShane be reconsidered.

Lost.

Mr. Pisko moved the vote by which Gilpin and Jefferson counties were exempted from the provisions of this bill, be reconsidered.

Carried.

The bill as amended was put upon its final passage:

The vote resulted as follows:

Ayes—Messrs. Duhme, Larned, Meldrum, Marshall, McNutt,

Nimerick, Pisko, Patterson, Peyton, Rottberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—16.

Noes—Messrs. Apadaca Bingham, Everitt, Gurule, Jaramilla. Kruse, McShane, and Rand—8.

So the bill passed, title agreed to.

A message was received from His Excellency the Governor, at the hands of his Private Secretary, stating that he had approved and signed House Bills No's 20, 36, 61, and 86.

H. B. No. 104 was read third time.

On motion of Mr. Smith referred to the Printing Committee.

H. B. No. 110 was read third time.

On motion of Mr. Trippe referred to the Committee on Printing.

H. B. No. 12 was read the third time.

Mr. Patterson moved the bill be indefinitely postponed.

Mr. Kruse called for the ayes and noes.

The vote resulted as follows:

Those voting aye were Messrs. Apadaca, Duhme, Gurule. Jaramilla, Meldrum, Marshall, Nimerick, Patterson, Peyton, Rand, Smith, Sheldon, and Yonley—13.

Noes—Messrs. Bingham, Everitt, Kruse, Larned, McShane. Pisko, McNutt, Rettberg, Sanchez, Trippe, and Mr. Speaker—11.

Carried, and the bill indefinitely postponed.

Mr. Rand moved the vote be reconsidered, and lay the motion to reconsider on the table.

Carried.

H. B. No. 41 was taken up.

Mr. Pisko moved further action on the bill be indefinitely postponed.

Lost.

Mr. Pisko moved to amend the bill by excepting Arapahoe county from its provisions, and called for the ayes and noes on his motion.

The vote resulted as follows:

Ayes—Messrs. Everitt, Larned, Pisko, Rettberg, and Smith —5.

Noes—Messrs. Apadaca, Bingham, Duhme, Gurule, Jaramilla, Kruse, Meldrum, McShane, Marshall, McNutt, Nimerick, Patterson, Peyton, Rand, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—18.

So the motion was lost.

Mr. Pisko moved to adjourn.

Lost.

Mr. Peyton moved the bill be laid on the table.

Motion lost.

The bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Duhme, Everitt, Jaramilla, Kruse, McShane, Marshall, McNutt, Nimerick, Patterson, Trippe, Yonley, and Mr. Speaker—12.

Those voting no were Messrs. Apadaca, Bingham, Gurule, Larned, Meldrum, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez—12.

So the bill did not pass.

On motion of Mr. Pisko S. H. B. No. 41 was indefinitely postponed.

On motion the House adjourned until 7 o'clock this evening.

EVENING SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

The Special Order H. B. No. 116 was taken up.

On motion the House went into the Committee of the Whole for the consideration of the same.

Mr. Mills in the chair.

The committee arose and reported as follows:

MR. SPEAKER:—The Committee of the Whole have had under consideration H. B. No. 116, and recommend it be amended by inserting after the word "ending" in first line of printed copy the words and figures, "December 31st, 1876," and "the fiscal year;" also after the figures "1875" in the third line, insert the words "and for the purpose hereinafter named;" amend section 4 by inserting after the words "per day" in second line, the words "except the Spanish interpreters, who shall receive the sum of seven (7) dollars per day each," and report the same back to the House, and recommend it do pass, as amended.

W. B. MILLS,
Chairman.

Report received.

The Committee on Enrollment reported as follows:

MR. SPEAKER:—Your Committee on Enrollment beg leave to report back House Bills No's 22, 95, and 100, correctly enrolled.

F. KRUSE,
Chairman.

Report received.

The House now went into Committee of the Whole for the consideration of bills on General File.

Mr. Mills in the chair.

After a time the committee arose.

Mr. Patterson moved the House adjourn.

Lost.

Mr. Mills, Chairman of the Committee of the Whole, submitted the following report:

MR. SPEAKER:—The Committee of the Whole have had under consideration H. B. No. 103, and report the same back to the House and recommend it do pass; sub. H. B. No. 84, and recommend it be amended by adding to sec. 6 the following: "And this act shall take effect and be in force on and after the 1st day of Oct, A. D. 1876," and as so amended it do pass; C. B. No. 74, and report the same back and recommend it do not pass; C. B. No. 86, and report same back and recommend it do pass.

W. B. MILLS,
Chairman.

Mr. Smith moved the report be adopted.

Mr. McNutt called for the ayes and noes on the question.

Mr. McNutt moved a call of the House.

Carried.

Roll called.

Absent—Messrs. Meldrum and Peyton.

The Sergeant-at-arms was instructed to enforce the call and bring back the absent members.

Mr. Pisko moved further proceedings under the call be dispensed with.

Motion lost.

Mr. Pisko moved further proceedings under the call of the House be dispensed with, and called for the ayes and noes on the motion.

Those voting aye were Messrs. Apadaca, Bingham, Larned, Mills, McShane, Marshall, McNutt, Pisko, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—15.

Noes—Messrs. Duhme, Everitt, Gurule, Jaramilla, Kruse, Nimerick, Patterson, and Rand—8.

So lost.

Mr. Pisko again moved that further proceedings under the call be dispensed with, and called for the ayes and noes on the motion.

Those voting aye were Messrs. Apadaca, Bingham, Everitt, Gurule, Larned, Mills, Marshall, McNutt, Pisko, Rettberg, Smith, Shelden, Sanchez, Yonley, and Mr. Speaker—15.

Noes—Messrs. Duhme, Jaramilla, Kruse, McShane, Nimerick, Patterson, Rand, and Trippe—8.

So lost.

Mr. Sheldon moved that further proceedings under the call be dispensed with.

Lost.

Mr. Duhme moved that further proceedings under the call be dispensed with.

Carried.

On motion the report of the Committee of the Whole was adopted.

On motion the House adjourned until half-past nine o'clock to-morrow.

THIRTIETH DAY.

TUESDAY, February 8, 1876—9:30 o'clock a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Apadaca, Duhme, Jaramilla, Rettberg, and Sheldon.

Quorum present.

Reading of the Journal deferred until the afternoon session.

Mr. Mills presented a petition from the citizens of Las Animas county, asking said county be divided, and a new county established, to be called "Chaffee county."

Mr. Mills moved the rules be suspended, to allow a bill to be introduced in accordance with said petition.

Motion lost.

Messrs. Apadaca, Jaramilla, and Sheldon appeared, and took their seats.

Mr. Everitt submitted the following report:

MR. SPEAKER:—Your Committee on Roads and Bridges, to whom was referred H. B's No's 114 and 119, respectfully report that they have had the same under consideration, and report the same back to the House, with the recommendation that they do pass; they also report H. B. No. 107 back to the House, without recommendation.

M. N. EVERITT,
Chairman.

Report received.

Mr. Rand submitted the following report.

MR. SPEAKER.—Your Committee on Irrigation have had under consideration H. B. No. 111, and refer it back to the House, and recommend it be referred to the Committee of the Whole; have also considered H. B. No. 97, and recommend that it do pass.

Respectfully submitted,
GEORGE RAND,
Chairman Irrigating Committee.

Report received.

Mr. Yonley reported as follows:

MR. SPEAKER:—Your Committee on Railroads, to whom H. B. No. 102 was referred, have had the same under consideration, and would refer the same back, and recommend that it do pass.

J. H. YONLEY, Chairman.
WM. B. MILLS,
D. C. PATTERSON,
FRANK BINGHAM.

Report received.

Mr. McShane submitted the following report:

MR. SPEAKER:—We, your Committee to whom was referred C. B. No. 85, beg leave to report same back to the House, with the recommendation that it do pass.

J. C. McSHANE,
Chairman of Committee on Territorial Prisons.

Report received.

Mr. Bingham reported as follows:

MR. SPEAKER:—The Joint Committee on Enrollment would report that they have examined C. B's No's 87, 33, 110, 70, 12, 16, 32, 50, 14, 19, 112, 46, 62, 116, and 4, and find them to be correctly enrolled; they would further report that H. B's No's 20, 86, 36, and 89, and C. B's No's 87, 33, 110, 70, 12, 16, 32, 50, 14, 19, 112, 45, 62, 116, and 4, were presented to the Governor for his approval, at two o'clock p. m., February 7, 1876.

FRANK BINGHAM,
Chairman.

Received.

Mr. Smith reported as follows:

MR. SPEAKER:—Your Committee on Territorial Affairs respectfully report to the House H. B. No. 91, without recommendation.

E. L. SMITH,
Chairman.

Received.

Mr. Smith, of committee, reported back H. B. No. 101, with the recommendation it do pass.

Received.

Mr. Larned reported as follows:

MR. SPEAKER:—Your Committee on Printing report back H. B's No's 104 and 110, and they are believed to be correctly printed.

WM. LARNED,
Chairman.

Received.

A message was received from the Governor, announcing that he had approved and signed H. B. No. 55, and S. H. J. M. No. 3.

On motion of Mr. Yonley, the amendments proposed by the Council to H. B. No. 21, were concurred in.

On motion of Mr. McShane, the amendments proposed by the Council to H. B. No. 68, were concurred in.

On motion of Mr. Pisko, the Committee on Territorial Prisons were instructed to report on H. B. No. 54 to-morrow.

Messrs. Mills and Smith were excused from further attendance during the forenoon

The Council Concurrent Resolution relating to furnishing the Auditor with certified copies of certain laws, was taken up.

Mr. Pisko moved the resolution be adopted, and called for the ayes and noes on the motion.

Those voting aye were Messrs. Apadaca, Bingham, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, Nimerick, Pisko, Peyton, Rand, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—19.

Noes—Messrs. McNutt and Patterson—2.

So the resolution was adopted.

C. B. No. 44 was read second time.

On motion of Mr. Kruse, referred to the Judiciary Committee.

C. B. No. 117 was read second time.

On motion of Mr. McShane, the rules were suspended, and the bill put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Sheldon, Sanchez, Yonley, and Mr. Speaker—19.

Noes—Messrs. Patterson and Trippe—2.

So the bill passed, title agreed to.

Mr. Duhme appeared, and took his seat.

C. B. No. 112 was read second time.

Mr. Peyton moved the rules be suspended, the bill be read the third time by title, and put upon its final passage.

Carried.

Bill read third time.

Mr. Patterson moved to amend the bill, so that the fine provided for shall read, "not less than one hundred, nor more than one thousand dollars."

Carried.

Mr. Sheldon moved to amend by inserting, after the word "thereof," in the eighth line, the following: "or any other legal land boundary monument in this Territory."

Carried.

Mr. McNutt moved to amend, by adding to section one (1), the following: "or imprisonment of not less than one month, nor more than one year, at the discretion of the Court."

Mr. Marshall moved to amend the amendment, by striking therefrom the words, "not less than one month"

Carried.

Amendment, as amended, carried.

Mr. Marshall moved the vote by which the amendment, "not less than one hundred dollars," was adopted, be reconsidered.

Motion carried.

Mr. Marshall now moved the motion to amend be laid on the table.

Carried.

The bill was put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

No—Mr. Patterson—1.

So the bill passed.

On motion of Mr. Trippe, the title was amended to read, "an act to protect land marks," and, as amended, agreed to.

Mr. Pisko, of committee, submitted the following report.

MR. SPEAKER:—Your Committee on Engrossment, to whom was referred substitute for H. B. No. 84, and H. B. No. 116, beg leave to report that they have examined the same, and find them correctly engrossed, as amended.

Respectfully submitted,
EDWARD PISKO,
Chairman.

Report received.

C. B. No. 118 was read second time.

On motion of Mr. Rand the rules were suspended, the bill read a third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt. Nimerick, Pisko, Peyton, Rand, Rettberg, Sheldon, Trippe, Yonley, and Mr. Speaker—20.

Noes—Messrs. Sanchez and Duhme—2.

So the bill passed, title agreed to.

C. B. No. 102 was read second time.

On motion of Mr. Peyton, referred to the Committee on Irrigation.

C. B. No. 105 was read second time.

Mr. Peyton moved the rules be suspended, the bill be read a third time, and put upon its final passage.

Carried.

Bill read a third time.

Mr. McNutt moved to amend the bill by striking out the words: "On the first Tuesday of September, and insert the word "In," in lieu thereof.

Carried.

Bill so amended, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker —24.

Noes—None.

So the bill passed, title agreed to.

C. B. No. 95 was read second time.

On motion of Mr. Pisko the rules were suspended, the bill read a third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Everitt, Gurule, Kruse, Larned Marshall, Nimerick. Peyton, Rettberg, Sheldon, and Mr. Speaker—10.

Noes—Messrs. Bingham, Jaramilla, McNutt, Pisko, Patterson, and Rand—6.

Messrs. Apadaca, Duhme, Meldrum, McShane, Smith, Sanchez, Trippe, and Yonley were excused from voting.

So the bill did not pass.

C. B. No. 81 was taken up for second reading.

Mr. Jaramilla moved that further action on the bill be indefinitely postponed.

Motion lost.

Mr. Marshall moved to refer the bill to the Committee on Indian Affairs.

Motion lost.

Mr. McNutt moved the rules be suspended, and further reading of the bill be dispensed with, and the bill put upon its final passage.

Lost.

The bill was read second time by title.

Mr. Trippe moved to amend the bill by striking out the words "this Territory," whenever they occur in the bill, and insert in lieu thereof the words, "Gilpin county."

The ayes and noes were called for on the motion.

Those voting aye were Messrs. Apadaca, Bingham, Duhme, Gurule, Jaramilla, McNutt, Patterson, Peyton, Rand, Smith, and Trippe—11.

Those voting no were Messrs. Everitt, Kruse, Larned, Meldrum, McShane, Marshall, Nimerick, Pisko, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—13.

So the motion was lost.

Mr. Kruse moved the rules be suspended, the bill read a third time by title, and put upon its final passage.

Motion lost.

On motion of Mr. Marshall, the bill was referred to the Committee on Indian Affairs.

The report of the Committee on Roads and Bridges, on H. B's No's 114, 119, and 107. was, on motion of Mr. Bingham, adopted.

Mr. Marshall moved that H. B. No. 119 be read third time, and put upon its final passage.

Carried.

The bill was read a third time.

Mr. Marshall moved to amend the bill, by inserting, after the word "annually," in the first line, the words, "at the general election;" also add to section 1 the following: "And he may appoint one or more deputies, for whose official acts he shall be responsible."

Carried; bill so amended.

The bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker —24.

Noes—None.

So the bill passed, title agreed to.

The report of the Committee on Irrigation, on H. B's No's 111 and 97, was, on motion of Mr. Rettberg, adopted.

On motion of Mr. Gurule, the rules were suspended, and H. B. No. 97 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, Nimerick, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—20.

Noes—Messrs. Everitt, Pisko, and Patterson—3.

So the bill passed, title agreed to.

The report of the Committee on Railroads, on H. B. No. 102, was, on motion of Mr. Smith, adopted.

The report of the Committee on Territorial Prisons, on C. B. No. 85, was, on motion of Mr. Peyton, adopted.

The report of the Committee on Territorial Affairs, on H. B. No. 91, was, on motion of Mr. Trippe, adopted, and the bill referred to the Committee of the Whole.

The report of the Select Committee on H. B. No. 101, was, on motion, adopted.

Mr. Duhme moved the rules be suspended, the bill read a third time, and put upon its final passage.

Mr. Smith moved to amend, by referring to the Committee of the Whole.

Amendment accepted.

Bill so referred.

C. B. No. 75 was read the third time.

Mr. McNutt moved that further action on the bill be indefinitely postponed.

Motion lost.

The bill was put upon its final passage.

The vote resulted as follows.

Ayes—Messrs. Bingham, Gurule, Jaramilla, McShane, Marshall, Nimerick, Patterson, Peyton, Rand, Smith, and Yonley—11.

Noes—Messrs. Apadaca, Duhme, Everitt, Kruse, Larned, Meldrum, McNutt, Pisko, Rettberg, Sheldon, Sanchez, Trippe, and Mr. Speaker—13.

So the bill did not pass.

C. B. No. 73 was read third time.

Mr. McNutt moved to amend, by adding the following, to be called section 2. "When any such creditors may have the right to claim a lien for the account so assigned, the assignee

of such claim or claims may, after the assignment, file a lien in his own name, and in his notice of lien shall state by whom the work was done, or the material furnished, and the fact of the assignment."

Carried.

Mr. Marshall moved to amend the amendment, by striking out the words, "intended to be assigned," and insert in lieu thereof the words, "so assigned."

Motion, as amended, carried.

The bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

No—Mr. Patterson—1.

So the bill passed, title agreed to.

On motion of Mr. Pisko, the House adjourned until two o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Jaramilla, Duhme and Mills.

Quorum present.

Messrs. Duhme and Jaramilla were excused.

Journal of preceding day read, corrected and approved.

The following messages were received from the Council:

COUNCIL CHAMBER,
DENVER, February 8, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has passed the following:

C. B. No. 134 for an act to prevent the waste of water during the irrigating season.

Substitute for House Bill No. 44.

C. B. No. 138, for an act concerning preliminary examinations on criminal charges before Justices of the Peace.

C. B. No. 120 for an act to amend an act, entitled "an act to establish a school for Deaf Mutes in Colorado Territory."

C. B. No. 88, for an act to provide for the several expenses of the Territorial School of Mines for the years 1876 and 1877.

That the Council has receded from its amendments to H. B. No. 57; and that the Council has concurred in House amendments to substitute for C. B. No. 66, except such amendments as were made to sections numbered 10 and 20, and in the latter the Council does not concur, and would respectfully ask the House to recede therefrom.

The concurrence of the House is requested in the Council Bills herewith transmitted.

Very respectfully, your obedient servant,

JAS. T. SMITH,
Secretary.

On motion Mr. Mills was excused from attendance during the afternoon.

Mr. Pisko moved the rules be suspended and C. B. No. 66 taken up.

Motion withdrawn.

Mr. Rand moved the rules be suspended, and he be allowed to present a remonstrance from citizens of Jefferson county against the passage of a bill reducing the fees of county officers in said county.

Carried.

The remonstrance was presented. and on motion of Mr. Rand referred to Committee on Centennial.

The Committee on Enrollment submitted the following report.

MR. SPEAKER:—Your Committee on Enrollment beg leave to report back House Bills 68 and 21, correctly enrolled.

FREDERICK KRUSE,
Chairman.

Received.

C. B. No. 74 was read third time.

On motion of Mr. Marshall the bill was laid on the table.

C. B. No. 86 was read third time.

Mr. Marshall moved to amend sec. 2 by inserting after the fifth word in the seventh line, the words "with interest there-

on at the rate of twenty-five (25) per cent. per annum from date of sale."

Motion carried, and bill as amended put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—Mr. Patterson—1.

So the bill passed, title agreed to.

C. B. No. 85 was read third time.

Mr. McShane moved to amend the bill by striking out the words and figures "fifteen thousand (15,000)" and insert the words and figures "ten thousand" in lieu thereof.

Motion lost.

Mr. Patterson moved to strike out section 3.

Lost.

The bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez. Trippe, Yonley, and Mr. Speaker—22.

Noes—Messrs. Jaramilla and Patterson—2.

So the bill passed, title agreed to.

Mr. Everitt moved the rules be suspended, that C. B No. 88 be taken up and made the special order for this evening.

Motion carried; so ordered.

H. B. No. 102 was read third time.

On motion of Mr. Peyton further consideration of the bill was postponed for the present.

H. B. No. 104 was read third time.

On motion of Mr. Pisko further consideration of the bill was postponed until to-morrow.

H. B. No. 103 was read third time.

Mr. McNutt moved that further action on the bill be postponed until Thursday next.

Lost.

Mr. Trippe moved to amend as follows: "And the sum of fifteen thousand dollars is hereby appropriated for the purpose of buying picks, shovels, powder and steel, and other necessary articles for indigent miners and prospectors."

Carried.

Mr. Yonley moved to amend sec. 4 by striking out "15,000" and inserting "60,000" in lieu thereof.

Carried.

The bill was now put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Everitt, Jaramilla, McShane, McNutt, Nimerick, Patterson, Rand, Smith, and Trippe—9.

Noes—Messrs. Apadaca, Bingham, Duhme, Gurule, Kruse, Larned, Meldrum, Marshall, Pisko, Peyton, Rettberg, Sheldon, Sanchez, Yonley, and Mr. Speaker—15.

So the bill did not pass.

H. B. No 107 was read third time.

On motion of Mr. Smith the period (.) after the word "Territory" in the sixth line of sec. 1 was stricken out, and the word "also" commenced with a small letter.

On motion of Mr. Sheldon the word "terminating" in sec. 2 was stricken out, and the word "completing" inserted in lieu thereof.

Mr. Pisko moved that section 2 be stricken out.

Lost.

Mr. McNutt moved to be excused from voting on the passage of the bill.

Lost.

The bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Gurule, Larned, McShane, McNutt, Nimerick, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, and Yonley—13

Noes—Messrs. Apadaca, Bingham, Duhme, Everitt, Jaramilla, Kruse, Meldrum, Marshall, Pisko, Patterson, and Mr. Speaker—11.

So the bill did not pass.

H. B. No. 110 was taken up for third reading.

On motion of Mr. McShane action on the bill was postponed until same order to-morrow.

H. B. No. 114 was read third time and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—Messrs Patterson and Smith—2.

So the bill passed, title agreed to.

H. B. No. 116 was read third time.

On motion of Mr. Rand recommitted to the Committee on Finance, Ways and Means.

S. H. B. No. 84 was read third time.

Mr. Sheldon moved further action on the bill be indefinitely postponed.

Motion carried.

Mr. Smith moved the vote just taken be reconsidered.

Carried.

The question now being on the motion to indefinitely postpone, the ayes and noes were called for.

Ayes—Messrs. Apadaca, Jaramilla, Kruse, Larned, McShane, Marshall, Peyton, Rettberg Sheldon, Sanchez, and Yonley—11.

Noes—Messrs. Bingham, Duhme, Everitt, Gurule, Meldrum, McNutt, Nimerick, Pisko, Patterson, Rand, Smith, Trippe, and Mr. Speaker—13.

So the motion was lost.

Mr. Smith moved to amend the bill by striking out in the 7th line of the 3d section the words "In the form of an" and insert in lieu thereof the words "by the proper" and strike out in same line the words "for debt."

Carried.

Mr. Sheldon moved to further amend the bill by inserting in second line of section 1 after the word "shall" the words "when required so to do by the owners of said land."

Carried.

Mr. Sheldon moved to further amend the bill by adding to section 1 the following: "Providing that no railway company shall be required to fence any lands in cases where, in the condemnation of lands for right of way, the cost of such fencing has been included in the estimate of damages."

Carried.

Bill as amended put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Pisko, Patterson, Peyton, Rand, Smith, Trippe, and Mr. Speaker—19.

Noes—Messrs. Nimerick, Rettberg, Sheldon, Sanchez, and Yonley—5.

So the bill passed, title agreed to.

On motion of Mr. Trippe the House adjourned.

EVENING SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Quorum present.

On motion of Mr. Pisko, C. B. No. 88, the Special Order of the Day was placed on file under General Orders of the Day, and made the first business on the file.

Under suspension of the rules, Mr. Sheldon submitted the following report:

MR. SPEAKER:—Your Committee on Finance, Ways and Means, to whom was referred H. B. No. 116, have examined the same and ask leave to suggest that sec. 4 of said bill be amended by added the following. The sum of seventeen hundred dollars, or so much thereof as may be necessary, is hereby appropriated to carry out the provisions of this section.

That section 5 be amended by inserting after the word "draw" in the seventh line of said section, the word "his," and after the word "warrants" in the same line the following: "On the Territorial Treasurer."

That section 10 be amended by inserting after the word "expenses" in the first line of said section the following: "Including purchases by the Sergeant-at-arms of books, stationery, postage stamps and newspapers for the use of both Houses of the Legislature."

So amended, they recommend that the bill do pass.

A. Z. SHELDON,
Chairman.

Report received.

On motion of Mr. McShane the report was adopted.

Under suspension of the rules, Mr. Sheldon moved the bill be further amended as follows: Add section 11 to read section 11: For the general contingent fund the sum of ($2,000) two thousand dollars, or so much thereof as may be necessary in addition to the credit now remaining to the general contingent fund."

Amendment carried.

Bill as amended put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, Mc-

Nutt, Nimerick, Pisko, Patterson, Peyton, Rand, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

The Committee on Enrollment reported as follows:

MR. SPEAKER:—We, your Committee on Enrollment, beg leave to report back House Bills No's 44 and 57 correctly enrolled.

FREDERICK KRUSE,
Chairman.

Report received.

The House now went into Committee of the Whole on General File.

Mr. Marshall in the chair.

After a time the committee arose.

On motion of Mr. Smith House adjourned.

THIRTY-FIRST DAY.

WEDNESDAY, February 9, 1876, 9:30 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Bingham, McShane, Rettberg and Smith.

Quorum present.

The reading of the Journal was deferred until the afternoon session.

Mr. Patterson presented a petition from the Board of Commissioners of Boulder county, protesting against the passage of any law reducing the fees of county officers in said county.

Received.

Mr. Sanchez submitted the following report:

MR. SPEAKER:—Your Committee on Indian Affairs, to whom was referred C. B. No. 81, have had the same under considera-

tion, and report the same back to the House without recommendation.

F. SANCHEZ,
D. GURULE,
M. APADACA.

Report received.

Mr. Meldrum submitted the following:

MR. SPEAKER:—Your Committee to whom was referred Council Bill No. 81, have had the same under consideration. The minority of said committee beg leave to report the same back to the House with the recommendation that it do pass.

N. H. MELDRUM,
W. LARNED.

Received.

Mr. Rand submitted the following:

MR. SPEAKER:—Your Committee to whom was referred Council Bill No. 102, have had the same under consideration, and report the same back without recommendation.

Respectfully submitted,
GEORGE RAND,
Chairman.

Report received.

Mr. Mills submitted the following:

MR. SPEAKER:—Your Committee on Judiciary beg leave to report back House Bill No. 121, with the recommendation that it be referred to the Committee of the Whole. The Committee have considered Council Bill No. 82, concerning the time of holding the District Courts in the 2nd Judicial District, and recommend that it be amended so that the second paragraph of sec. 1 read as follows: "In the county of Grande on the first day of July in each year; in the county of Boulder on the first Monday after the first Tuesday of July, and the third Monday of January in each year in the county of Larimer the first Monday of August in each year; and that as amended the bill do pass; also report back H. B. No. 120 with the recommendation that it do pass.

Your committee report back C. B. No. 44 with the recommendation that all after the word "them" in the fifth line of section one of said bill be stricken out, and that as amended the bill do pass.

WM. B. MILLS,
Chairman.

Received.

Mr. Bingham reported as follows:

MR. SPEAKER: — The Joint Committee on Enrollment report that they have examined House Bills No's 21, 22, 95, 100, 68, 44, and 57, and find them to be correctly enrolled.

FRANK BINGHAM,
Chairman.

Report received.

The amendments proposed by the Council to House amendments to S. C. B. No. 66 were considered.

Mr. McNutt moved that the House insist on its amendments and that a committee of conference be appointed.

Mr. Mills called for a division of the question.

Mr. Pisko moved the House recede from its amendments to sections 10 and 20.

Mr. Peyton called for a division of the question.

The question now being "Will the House recede from its amendments to section 10," Mr. Pisko called for the ayes and noes.

Mr. Duhme moved a call of the House.

Motion carried.

The roll was called.

Absent—Mr. Smith.

The Sergeant-at-arms was instructed to enforce the call and bring Mr. Smith forthwith to the House.

The assistant Sergeant-at-arms reported Mr. Smith present.

Mr. Smith took his seat.

So further proceedings under the call were dispensed with.

The question recurring on the motion to recede from amendments to section 10, the Roll was called.

Those voting aye were Messrs. Apadaca, Bingham, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, Pisko, Peyton, Rettberg, Sheldon, Sanchez, and Mr. Speaker —15.

Noes—Messrs. Duhme, Jaramilla, McNutt, Nimerick, Patterson, Rand, Smith, Trippe, and Yonley—9.

So the motion carried.

The question now being on the motion to recede from amendment to section 20, the ayes and noes were taken.

Ayes—Messrs. Bingham, Everitt, Gurule, Kruse, Larned, Mills, Pisko, Rettberg, and Mr. Speaker—9.

Noes—Messrs. Apadaca, Duhme, Jaramilla, Meldrum, McShane, Marshall, McNutt, Nimerick, Patterson, Peyton, Rand, Smith, Sheldon, Sanchez, Trippe, and Yonley—16.

So the House refused to recede.

Mr. Pisko moved the House appoint a Committee of Conference to consist of five members.

Motion carried.

Mr. Marshall moved the rules be suspended to allow the Chairman of the Committee of the Whole to report.

Carried.

And Mr. Marshall submitted the following:

MR. SPEAKER:—The Committee of the Whole have had under consideration C. B. No. 88, and recommend it be amended by adding the following to section 1:

Provided that tuition in said School of Mines shall be free to all *bona fide* residents of Colorado, who may be entitled to receive instruction in said school.

And as so amended the bill do pass.

H. B. No. 113, and report the same back and recommend it do pass.

H. B. No 115, and recommend it be amended in section 1 in the last line thereof, by striking out the word and figures "one and one-half (1½)" and inserting in lieu thereof, the words and figures "two (2)," and as so amended the bill do pass.

H. B. No. 117, and report the same back and recommend it do pass.

H. B. No. 109, and report the same back to the House and recommend it be ordered printed.

H. B. No. 111, and report the same back to the House and recommend it do pass.

H. B. No. 122, and report the same back and recommend it be ordered printed.

S. C. B. No 68, and report the same back and recommend it be ordered printed.

H. B. No. 101, and report the same back and recommend it be amended in section 1 by striking out the words, "shall be

exempt from taxation;" also amend section 2 by inserting after the words "Arab horse" the words "Barb horse, or from the Darley-Arabian horse, or from the Turkish horse, as defined by the English Stud-book," and as so amended the bill do pass.

JAMES Y. MARSHALL,
Chairman.

Mr. Pisko moved the report be adopted.

Mr. Marshall moved to amend by excepting that portion of the report referring to S, C. B. No. 68.

Amendment accepted.

Motion as amended carried.

Under further suspension of the rules, Mr. Marshall introduced H. S. for S. C. B. No. 68, which was read first and second time, and referred to the Committee on Judiciary.

C. B. No. 138 was read second time.

On motion of Mr. McNutt, the rules were suspended, the bill read a third time by title, and put upon its final passge.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

Noes—None.

Mr. Kruse excused from voting.

So the bill passed, title agreed to.

C. B. No. 134 was read second time.

On motion of Mr. Rand referred to the Committee on Irrigation.

Under suspension of the rules, Mr. McShane submitted the following report:

MR. SPEAKER.—We, your Committee, to whom was referred House Bill No. 54, beg leave to report the same back to the House with the following amendments: By striking out in the last line in section 1 the word "eighteen," and insert in lieu thereof the word "twenty," and recommend that the bill do pass as amended.

J. C. McSHANE,
Chairman of Committee on Territorial Prisons

Received.

C. B. No. 120 was read second time.

Mr. Patterson moved further action on the same be indefinitely postponed.

Mr. Mills called for the ayes and noes on the motion.

Those voting aye were Messrs. Gurule, Jaramilla, Larned, Nimerick, Patterson, Peyton, Sheldon, Sanchez and Yonley—9.

Noes—Messrs. Apadaca, Bingham, Duhme, Everitt, Kruse, Mills, Meldrum, McShane, Marshall, McNutt, Pisko, Rand, Rettberg, Smith, Trippe, and Mr. Speaker—16.

So the motion was lost.

Mr. Peyton moved the bill be referred to the Committee on Finance, Ways and Means.

Mr. McNutt moved to amend, and that the bill be referred to the Committee on Judiciary.

Ayes and noes were called for.

Ayes—Messrs. Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Mills, Meldrum, McShane, McNutt, Rand, Smith, and Mr. Speaker—13.

Noes—Messrs. Apadaca, Larned, Marshall, Nimerick Pisko, Patterson, Peyton, Rettberg, Sheldon, Sanchez, Trippe, and Yonley—12.

So the amendment carried, and bill referred to the Judiciary Committee.

The following messages was received from the Council:

COUNCIL CHAMBER,
DENVER, February 9, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has passed H. B. No. 69, amended as follows:

By striking out from line 3 in section 1 the word "seven" and inserting "nine" in lieu thereof; by striking out from line 4 of section 1 the word "five" and inserting "seven" in lieu thereof; by inserting in 3d line of sec. 6 after the word "city" the words: "and the regular physician of each public institution;" by adding at the end of section 8, the following: "Provided such expense shall not exceed the total sum of five hundred dollars," and by striking out sections numbered 9 and 10.

The concurrence of the House is requested.

Very respectfully, your obedient servant,

JAS. T. SMITH,
Secretary.

The majority and minority reports on C. B. No. 81 were considered.

Mr. McNutt moved the bill be referred to the special committee on H. B. No. 101.

Lost.

On motion of Mr. Trippe further consideration of the bill was indefinitely postponed.

On motion of Mr. Mills the report of the Committee on Judiciary on H. B. No. 121 was adopted.

On motion of Mr. Kruse the report of the Committee on Judiciary on C. B. No. 82, was adopted.

Mr. Rand moved the rules be suspended, and C. B. No. 82 be read third time by title, and put on its final passage.

Carried.

Bill read a third time.

On motion of Mr. Smith the bill was referred to the Committee of the Whole.

The report of the Committee on Judiciary on H. B. No. 120 was, on motion of Mr. Jaramilla, adopted.

On motion of Mr. Mills the rules were suspended, the bill read a third time and put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—25.

Noes—None.

So the bill passed, title agreed to.

The report of the Committee on Judiciary on C. B. No. 44, was on motion of Mr. Jaramilla, adopted.

Mr. McNutt moved the rules be suspended, and the bill put upon its final passage.

Mr. Marshall moved to amend the bill by adding the following: "And the County Commissioners may in their discretion pay the costs of preliminary examination."

Mr. Smith moved to further amend by adding the words "except in such cases of preliminary examinations in which the prosecution shall have been adjudged liable to pay the costs."

Amendment accepted.

Motion as amended, carried.

Mr. Rand moved to amend the bill by inserting after the word "county," in 3d line of section 1 the words, "in which the offense is committed."

Carried.

The bill as amended, was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Trippe, Yonley, and Mr. Speaker—20.

Noes—Messrs. Patterson, Smith, Sheldon, and Sanchez—4.

Mr. Jaramilla excused from voting.

So the bill passed, title agreed to.

The report of the Committee on Irrigation on C. B. No. 102 was considered.

On motion of Mr. Rand, the rules were suspended, and the bill put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—Messrs. Mills, Smith, and Sheldon—3

So the bill passed, title agreed to.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 9, 1876.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council continues to refuse to concur in House amendments to section 20 of substitute for C. B. No. 66, and has appointed Messrs. Stiles and Hughes a committee of conference on the part of the Council, and requests the appointment of a like committee, on the part of the House, in reference to said amendments.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

The report of the Committee on Territorial Prisons, on H. B. No. 54, was, on motion of Mr. Pisko, adopted.

On motion of Mr. Pisko, the rules were suspended, the bill

read a third time, and put on its final passage, and passed by the following vote:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker —25.

Noes—None.

Title agreed to.

Mr. Pisko moved the vote by which the House refused to pass C. B. No. 95, be reconsidered.

Motion carried.

The bill was now put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Bingham, Duhme, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Sheldon, Trippe, Yonley, and Mr. Speaker—20.

Noes—Messrs. Apadaca, Jaramilla, Patterson, Smith, and Sanchez—5.

So the bill passed, title agreed to.

Under suspension of the rules, the amendments proposed by the Council to H. B. No. 69, were considered.

On motion of Mr. Mills, the amendments were concurred in.

On motion of Mr. McShane, the House adjourned until two o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

On motion of Mr. Mills, the rules were suspended, and C. B. No. 39, heretofore indefinitely postponed, was taken up.

Mr. McNutt moved the vote by which action on said bill was indefinitely postponed, be reconsidered.

Carried.

On motion of Mr. McNutt, the bill was now referred to the Committee on Incorporations.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 9, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has concurred in House amendments to C. B's No's 105 and 122; that the Council has passed the following: H. B. No. 97; C. B. No. 115, "for an act for the relief of David Briggs;" C. B. No. 123, "for an act to amend an act, entitled 'an act relating to fees and salaries in Weld and Larimer counties,' approved February 13, 1874;" C. B. No. 135, "for an act to authorize the County Commissioners of Gilpin county to borrow money to erect county buildings;" C. B. No. 133, "for an act to change and define the boundaries of Rio Grande county;" C. B. No. 125, "for an act to amend chapter 43 of the Revised Statutes, entitled 'Injunctions;'" and that the Council has indefinitely postponed further action on H. B. No. 75. The concurrence of the House is requested in the Council Bills herewith transmitted. Also substitute for H. B. No. 51, amended as follows: By substituting the word "fifteen thousand," for the words, "seven thousand five hundred," whenever they occur in section one; by striking out sections two, three, and five; by striking out the words, "so created," in the first line of section 4; by adding to end of line 1 of section 4, after the word "exclusively," the words, "as aforesaid, and"; by striking out section 8, and substituting the following: "Sec. 8. The said sum of $15,000, hereby appropriated, shall be paid as follows, viz.: $3,500, April 1, 1876. $4,000, July 1, 1876; $3,500, January 1, 1877; and the remaining $4,000, July 1, 1877." The concurrence of the House is requested. Also H. J. M. No. 5; also H. B. No. 38; that the Council has concurred in all of the House amendments to C. B. No. 21, except the additional section numbered 82, and request the House to recede from the adoption of said section 82; and has passed C. B. No. 103, "for an act to provide for the representation of the Territory of Colorado at the Centennial Exhibition; substitute for C. B. No. 67, "for an act to amend an act entitled 'an act concerning mines,' approved February 13, 1874, commencing on page 190 of printed laws of the Tenth Session of the Legislative Assembly of the Terri-

tory of Colorado." The concurrence of the House is requested.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

The Speaker appointed, as a Committee of Conference on S. C. B. No. 66, Messrs. Marshall, Yonley, Meldrum, McNutt, and Sheldon.

Journal of preceding day read and approved.

Mr. Sheldon moved the rules be suspended, and he be allowed to introduce a bill.

Lost.

By consent, Mr. Mills submitted the following report:

MR. SPEAKER:—The Committee on Judiciary have considered House substitute for substitute for C. B. No. 68, and report the same back, with the recommendation that section 1 of said House substitute be amended, by striking out from the 10th line thereof the word "credible," and that as so amended the bill do pass.

WM. B. MILLS,
Chairman.

Report received.

Mr. Sheldon reported as follows:

MR. SPEAKER:—Your Committee on Finance, Ways and Means, to whom was referred C. B. No. 111, have considered the same, and beg leave to report without recommendation.

Respectfully submitted,
A. Z. SHELDON,
Chairman

Received.

H. B. No. 104 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Bingham, Duhme, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Pey-

ton, Rettberg, Smith, Sheldon, Trippe, Yonley, and Mr. Speaker—18.

Noes—Messrs. Apadaca, Everitt, Gurule, Jaramilla, Patterson, Rand, and Sanchez—7.

So the bill passed, title agreed to.

H. B. No. 110 was taken up for second reading.

On motion of Mr. McShane, further action on the bill was postponed for time being.

The House now went into Committee of the Whole on General Order of the Day.

Mr. Trippe in the chair.

The committee arose, and submitted the following report:

MR. SPEAKER:—The Committee of the Whole have considered H. B. No. 121, and report the same back, with a substitute therefor, and recommend said substitute be passed; C. B. No. 82, and recommend it be amended in the last line of the amendment made by the Judiciary Committee to section 1, the word "August" be stricken out, and insert in lieu thereof the word "September," and as so amended the bill do pass.

T. M. TRIPPE,
Chairman.

On motion of Mr. Mills, the report was adopted.

Mr. Kruse moved C. B. No. 127 be taken up, and he be allowed to introduce a substitute

Motion carried, and Mr Kruse introduced H. S. C. B. No. 127.

Under suspension of the rules, the bill was read second time at length, third time by title, and put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, Nimerick, Pisko, Peyton, Rand, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

Messrs. McNutt and Patterson excused from voting.

So the bill passed, title agreed to.

Mr. Pisko moved that C. B. No. 21 be taken up, and that the House recede from its amendments to sec 82.

A division of the question was called for, the question being, "shall the bill be taken up."

Carried.

The question now being, "shall the House recede from its amendment?" Mr. Trippe called for the ayes and noes.

Those voting aye were Messrs. Apadaca, Bingham, Gurule, Kruse, Larned, Mills, McShane, Marshall, Pisko, Rettberg, Smith, Sheldon, Yonley, and Mr. Speaker—14.

Noes—Messrs. Duhme, Everitt, Jaramilla, Meldrum, Nimerick, McNutt, Patterson, Peyton, Rand, Sanchez, and Trippe —11.

So the motion prevailed, and the House receded from its amendments.

Mr. McShane moved H. B. No. 110 be taken up.

Carried.

Bill read third time.

On motion of Mr. Mills, the bill was laid on the table for the time being.

Mr. McNutt moved the Committee on Engrossment be instructed to report on H. B. No. 91 forthwith.

Mr. Pisko moved the motion be laid on the table, and called for the ayes and noes on the motion.

Those voting aye were Messrs. Duhme, Kruse, Larned, Marshall, Pisko, Patterson, Rettberg, Smith, and Sheldon—9.

Noes—Messrs. Apadaca, Bingham, Everitt, Gurule, Jaramilla, Mills, Meldrum, McShane, McNutt, Nimerick, Peyton, Rand, Sanchez, Trippe, Yonley, and Mr Speaker—16.

So the motion was lost

The question now being on the motion to require the committee to report at once,

Mr. Mills moved to amend, by saying, "report to-morrow morning."

Amendment accepted.

Motion, as amended, carried.

On motion, Mr. Trippe was excused from further attendance during the afternoon.

On motion of Mr. Marshall, S. H., for S. C. B. No. 68, was taken up, and read third time.

Mr. Marshall moved the bill be amended, by striking out the word "credible," before the word "persons."

Carried; so amended.

Mr. Smith moved to further amend the bill by adding the following: "Sec. 4. In all causes in which a change of venue has heretofore been, or shall hereafter be applied for and denied, it shall be lawful for the party whose application shall have been so denied, at a subsequent term of the Court in which such cause may be pending, if before such subsequent term, and

after the last preceding term of such Court, new causes for a change of venue have come to his knowledge, to renew his application for a change of venue, and to assign, among the reasons for his application for such change, the facts and causes assigned in the first application, with any additional causes for such change within his knowledge, but such second application shall be accompanied by the affidavits, as required by the first section of this act."

Carried.

As so amended, bill passed by the following vote:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Youley, and Mr. Speaker—24.

Noes—None.

Title agreed to.

Mr. McShane moved the rules be suspended, and C. B. No. 135 be read second time, and placed on file for third reading to-morrow.

Carried.

Bill read second time, and so placed.

On motion of Mr. Marshall, C. B. No. 103 was taken up.

Read second time, and made the special order for this evening.

On motion of Mr. Mills, H. B. No. 110 was taken up.

Mr. Mills now offered to amend the bill, as follows: Insert after the words and figures, "section 1," in lieu of section 1, the following words: "That section eight (8) of chapter thirty (30) of the Revised Statutes of Colorado, entitled, 'Evidences and Depositions,' be amended, by inserting after the word 'non-resident,' in the first line thereof, the words, 'party to the cause,'" and number present section 1, section 2.

Carried.

Bill ordered engrossed, as amended.

Mr. Patterson moved to adjourn.

Motion lost.

On motion of Mr. McNutt, the House adjourned until half-past nine o'clock to-morrow.

THIRTY-SECOND DAY.

THURSDAY, February 10, 1876—10 o'clock a. m.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Messrs. Kruse, Yonley, and Peyton were excused for a short time.
Reading of the Journal postponed until two o'clock.

Mr. Bingham, of committee, reported as follows:

MR. SPEAKER:—The Joint Committee on Enrollment would beg leave to report that they have examined C. B's No's 78, 76, 85, 122, 117, 86, 73, 26, 118, 22, 100, and 89, and find them correctly enrolled; they would also report that H. B's No's 57, 44, 21, 22, 95, 68, and 100, and C. B's No's 78, 76, 85, 122, 117, 86, 73, 26, 118, 22, 100, and 89, were presented to the Governor for his approval, at 2:15 o'clock p. m., February 9, 1876.

FRANK BINGHAM.
Chairman House Joint Committee.

Report received.

Mr. Rand, of committee, submitted the following report:

MR. SPEAKER.—Your Committee, to whom was referred C. B. No. 134, have had the same under consideration, and recommend that section 2 be stricken out, and the following be inserted in lieu thereof: "Sec. 2. During the summer season it shall not be lawful for any person or persons to run through his or their irrigating ditch any greater quantity of water than is absolutely necessary for irrigating his or their said land, and for domestic and stock purposes, it being the intent and meaning of this section to prevent the wasting, and useless discharge and running away of water," and so amended we recommend that it do pass.

GEORGE RAND,
Chairman Irrigating Committee

Report received.

Mr. Mills reported as follows:

MR. SPEAKER:—Your Committee on Judiciary have considered C. B. No. 120, and recommend that the same be amended, as follows: Sec. 1. 1st, by striking out from line 4 of section 1, the words, "Auditor of the Territory," and inserting in lieu thereof the following words: "Board of Trustees of said Deaf Mute Institute" 2. By striking out from section 1, after the word "quarter," in line 8, down to and including the word "certificate," in line 6 of said section 1. 3. By inserting after the word "lowest," in line 5 of section 3, the words, "best and responsible" 4. By adding to said section 3, at the end thereof, the following words: "Provided that said Board may reject any and all bids when in their judgment it will be for the best interests of the Institute to do so." 5. By inserting, after the word "supplies," in line 3 of section 4, the following words: "as near as may be." 6. By striking out from line 3 of section 7, the words and figures, "ten thousand dollars ($10,000)," and inserting in lieu thereof the following words and figures. "forty thousand dollars ($40,000)," and that as so amended the bill do pass.

W. B. MILLS,
Chairman.

Report received.

Mr. Pisko reported as follows:

MR. SPEAKER:—Your Committee on Engrossment, to whom was referred H. B's No's 121, 111, 101, 117, 115, 91, and 113, and C. B. No. 88, have examined the same, and find them correctly enrolled, as amended.

Respectfully submitted.
EDWARD PISKO,
Chairman.

Received.

Mr. Duhme appeared, and took his seat.

The amendments proposed by the Council to substitute H. B. No. 51 were considered

Mr. Patterson moved that the House concur in Council amendments.

Mr. Rand called for the ayes and noes on the motion.

Mr. Pisko moved a call of the House.

Carried.

The roll was called.

Absent—Messrs. Meldrum, Marshall, McNutt, and Sheldon.

The Sergeant-at-Arms was instructed to enforce the call, and bring to the House the absent members.

The Sergeant-at-Arms reported Messrs. Meldrum, Marshall, McNutt, and Sheldon.

The question now being on the motion to concur in Council amendments to H. B, No. 51, Mr. Pisko called for a division of the question.

The question being on the amendment to strike out "seven thousand five hundred dollars ($7,500)," and insert "fifteen thousand dollars ($15,000)," in lieu thereof, the ayes and noes were called for.

Those voting aye were Messrs. Apadaca, Duhme, Everitt, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, Nimerick, Patterson, Rand, Smith, Trippe, Yonley, and Mr. Speaker—17.

Noes—Messrs. Bingham, Gurule, McNutt, Pisko, Peyton, Rettberg, Sheldon, and Sanchez—8.

Carried.

So the House concurred in the amendments.

Mr. Pisko now withdrew his motion as to a division of the question.

The question being on the concurrence in the balance of the Council amendments,

Mr. McNutt called for the ayes and noes.

Those voting aye were Messrs Apadaca, Bingham, Duhme, Everitt, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, Nimerick, Pisko, Patterson, Rand, Smith, Trippe, Yonley, and Mr. Speaker—19.

Noes—Messrs. Gurule, McNutt, Peyton, Rettberg, Sheldon, and Sanchez—6.

So the motion prevailed, and the House concurred in the amendments.

Mr. Kruse reported as follows:

MR. SPEAKER:—We, your Committee on Enrollment, beg leave to report back H. B's No's 38, 69, and 97, also H. J. M. No. 5, correctly enrolled.

Respectfully submitted,

FREDERICK KRUSE,
Chairman.

Received.

Under suspension of the rules, Mr. Larned reported as follows:

MR. SPEAKER:—Your Committee on Printing have considered C. B. No. 57, and would recommend that sections No. 3, 4, and 5, be stricken out, and report back, and do recommend that sections No's 1, 2, 6, and 7, that it do pass, as amended.

WM. LARNED,
Chairman.

Report received.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 8, 1876.

To the Honorable Speaker of the House:

SIR: I am instructed to inform your Honorable Body that the Council has passed the following:

C. B. No. 121, "for an act concerning ejectments."

C. B. No. 126, "for an act concerning the estates of non-resident infants."

C. B. No. 119, "for an act concerning replevin."

Also substitute for H. B. No 98.

C. B. No. 53, "for an act to amend an act entitled an act to establish assay offices in Colorado Territory," approved February 10, 1874.

And that the Council has concurred in House amendments to C. B. No. 76, and to substitute for C. B. No. 26.

The concurrence of the House is requested in the Council bills herewith transmitted.

Also C. B. No. 129, "for an act to defray the expenses of the Convention which met in Denver on the 20th day of December, A. D. 1875, to frame a Constitution for the State of Colorado."

Also H. B. No. 64.

Also C. B, No. 137, "for an act to amend section 2 of article 2 of chapter 18 of the Revised Statutes."

Also H. B. No. 76, amended as follows: By adding at end of section 1, to form part of said section, the words: "Said sum

shall be paid out upon warrants issued by the Territorial Auditor, and such warrants shall be issued upon the certificates of the Board of Managers of the Penitentiary, signed by the President, and attested by the Secretary."

And that the Council has concurred in House amendments to C. B's No's 73 and 86.

The concurrence of the House is requested in the Council Bills herewith transmitted.

Very respectfully,

Your obedient servant,

JAMES T. SMITH,

Secretary.

By consent, Mr. McShane presented a petition from citizens of Gilpin county, asking the passage of the bill giving them the right to issue bonds to build public buildings.

Mr. Smith moved the rules be suspended, and C. B. No. 129 be read a second time at length, and made the special order for the afternoon.

Motion carried.

Mr. Pisko reported as follows:

MR. SPEAKER.—Your Committee on Engrossment, to whom was referred H. B. No. 110, beg leave to report that they have examined the same, and find it correctly engrossed.

Respectfully submitted,

EDWARD PISKO,

Chairman.

Report received

Mr. Mills was excused for a short time.

C. B. No. 123 was read second time.

On motion of Mr. Meldrum, the rules were suspended, the bill read a third time, and put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker —24.

Noes—None.

So the bill passed, title agreed to.

C. B. No. 133 was read.

On motion of Mr. Trippe, referred to the Committee on County and County Lines.

C. B. No. 125 was read second time.

On motion of Mr. Bingham, referred to the Committee on Judiciary.

Mr. Kruse was excused for a short time.

C. B. No. 115 was read second time.

On motion of Mr. Pisko, the rules were suspended, the bill read a third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Meldrum, McShane, Marshall, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—21.

Noes—Messrs. McNutt and Trippe—2.

So the bill passed, title agreed to.

S. C. B. No. 67 was read second time.

Mr. Smith moved the rules be suspended, and the bill read a third time, and put upon its final passage.

Motion withdrawn.

On motion of Mr. Patterson, the bill was referred to the Committee on Mines and Mining, with instructions to report the same back to-day.

The report of the Committee on Finance, Ways and Means, on C. B. No. 111, was considered.

Mr. Rand moved the rules be suspended, and the bill be read a third time, and put upon its final passage.

Carried.

On motion of Mr. Everitt, the bill was amended, by inserting, after the word "his," in the third line of the printed copy of section 1, the words, "her or their."

The bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Rand, Rettberg, Smith, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

No—Mr. Sheldon—1.

So the bill passed, title agreed to.

Mr. Rand moved the rules be suspended, and C. B. No. 88 read a third time, and put upon its final passage.

Carried.

The bill was read a third time.

Mr. Trippe moved to amend, by striking out the words (in the House amendment to section 1), "who may be entitled to receive instruction in said school."

Carried.

The bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Rand, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

No—Mr. Rettberg—1.

So the bill passed, title agreed to.

Mr. Yonley moved the rules be suspended, and the vote reconsidered by which Mr. Sheldon was refused permission to introduce a bill on yesterday.

Carried.

Mr. Smith was excused for a short time.

Mr. Sheldon moved that he be allowed to introduce a bill.

Motion lost.

On motion of Mr. Mills, further consideration of the matter was postponed until two o'clock p. m.

Mr. Mills, of committee, reported as follows.

Mr. Speaker:—Your Committee on Judiciary have considered H. B. No. 34, and herewith report a substitute, and recommend the passage thereof.

W. B. MILLS,
Chairman.

Report received.

On motion of Mr. McShane, the report was adopted.

On motion of Mr. Mills, the rules were suspended, the bill read a third time, and put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

No—Mr. Jaramilla—1.

So the bill passed, title agreed to.

Mr. Trippe moved that C. B. No. 53 be taken up, read a third time, and put upon its final passage.

Carried.

The bill was read a third time.

Mr. McNutt moved to amend the bill, by striking out the the words "La Plata," and inserting the words "San Juan," in lieu thereof, where it last occurs.

Carried; bill so amended.

Mr. Peyton moved to further amend the bill, by striking out the word "eleven," where they occur in the bill, and insert the word "twelve," in lieu thereof; also after the words "La Plata county." insert the words, "and one in Saguache."

Mr. Pisko moved to amend the amendment, by inserting the word "ten."

Motion lost.

The question being on the motion of Mr. Peyton,

Mr. Sheldon called for a division of the question.

The question being on the motion to strike out "eleven," was carried.

The question now being on the motion to insert "twelve," instead of "eleven," and the words, "and one in Saguache," was lost.

Mr. Trippe moved the vote by which the House amended the bill, by striking out "eleven," be reconsidered.

The ayes and noes were called for on the motion.

Those voting aye were Messrs. Marshall, McNutt, Nimerick, Patterson, Rand, Rettberg, Sanchez. Trippe, and Yonley—9.

Noes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Pisko, Peyton, Smith, Sheldon, and Mr. Speaker—16.

So lost.

Mr. Smith moved the further consideration of the bill be indefinitely postponed.

The ayes and noes were called for.

Those voting aye were Messrs. Bingham, Everitt, Gurule, Kruse, Larned, Mills, Pisko, Peyton, Smith, Sheldon, and Mr. Speaker—11.

Noes—Messrs. Apadaca, Duhme, Jaramilla, Meldrum, McShane, Marshall, McNutt, Nimerick, Patterson, Rand, Rettberg, Sanchez, Trippe, and Yonley—14.

So the motion to indefinitely postpone was lost.

On motion of Mr. Pisko, the House adjourned until two o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

House met pursuant to adjournment.
Roll called.
Quorum present.
Journal read and approved.

By consent, the Committee on Mines and Mining submitted the following report:

MR. SPEAKER:—Your Committee on Mines and Mining, to whom was referred substitute for C. B. No. 67, beg leave to report the same back, with favorable recommendation.

Respectfully submitted,
R. J. McNUTT,
Chairman.

Report received.

Under suspension of the rules, Mr. Sheldon, of committee, submitted the following report:

MR. SPEAKER:—Your Committee of Conference, appointed to meet a similar committee from the Council, for the purpose of harmonizing the differences between the two Houses of the Legislature with regard to C. B. No. 66, beg leave to report that said Joint Committee have been unable to agree, and that it is the sense of your committee that the House insist upon its amendments.

A. Z. SHELDON,
Chairman.

On motion of Mr. Smith, the report was adopted.

Mr. Mills submitted the following report:

MR. SPEAKER:—Your Committee on Judiciary have considered C. B. No. 125, and report the same back, with the recommendation that the same do pass.

WM. B. MILLS,
Chairman.

Received.

Mr. Kruse reported as follows:

MR. SPEAKER:—We, your committee, beg leave to report that we have examined H. B. No. 64, and find the same correctly enrolled.

FREDERICK KRUSE,
Chairman.

Received.

Under suspension of the rules, Mr. Kruse offered the following resolution:

Resolved, That the Chairman of the House Committee on Enrollment, and the Chairman of the House Committee on Engrossment, are hereby authorised and empowered to employ such help as may be necessary to enable them to complete the work assigned to their respective committees.

On motion, adopted.

The Speaker announced the vote taken this forenoon on the question to reconsider the motion whereby permission was refused yesterday to suspend the rules to allow Mr. Sheldon to introduce a bill.

The motion was declared carried.

So leave was granted, and Mr. Sheldon introduced H. B No. 123, "a bill for an act to establish the county of Uncompahgre."

Mr. Sheldon moved the bill be read the first and second times, and referred to the Committee on Counties and County Lines.

Mr. Trippe moved to amend, so that the bill be read first and second times, and ordered printed.

Motion lost.

Mr. Jaramilla was excused from further attendance during the afternoon.

The question now being on the motion offered by Mr. Sheldon, was carried, and the bill was read first and second times, and referred to the Committee on County and County Lines.

Mr. Sheldon moved that the Committee be instructed to report at an early hour to-day.

Motion carried.

On motion of Mr. Pisko, C. B. No. 129 was taken up and read second time.

Mr. Mills moved to amend section 3, by striking out the word "fifty," and inserting "sixty-five."

Carried.

Mr. Mills moved to further amend, by striking out, in section 4, the words, "payable on the fifteenth day of February, A. D. 1877."

Carried.

Mr. Peyton moved to further amend the bill, by striking out, in section 5, the words and figures, "20,000," and inserting "25,000" in lieu thereof.

Mr. Mills moved to amend the amendment, by saying "26,000."

Accepted.

Motion, as amended, carried.

Mr. Mills moved to further amend, by striking out, in the sixth line of section 5, the words, "on or before the time mentioned in this act."

Carried.

Mr. Mills moved to further amend, by striking out all after the word "Convention," in seventh line, and inserting in lieu thereof the words, "the same shall be applied to reimburse the Territory for the money so appropriated, as provided in this act."

Carried.

The bill as amended, was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

Noes—None.

So the bill passed, title agreed to.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 10, 1876.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has indefinitely postponed further action on H. B. No. 10.

That the Council has concurred in House amendments to

C. B's No's 44, 88, and 111, and also in House amendment to section 20 of substitute for C. B. No. 66.

That the Council has passed H. B. No. 60, amended as follows: By substituting for section 2 of said bill the following: "Sec. 2. In all actions of ejectments hereafter brought to prevent the entry of mining property under the Revised Statutes of the United States concerning mineral lands, and the amendments thereto, if the identity of the vein or veins in controversy shall become material to the decision of the issue, the burden of proof shall be upon the defendant to establish such identity. In all cases to which either section of this act shall apply, the plaintiff shall state in his declaration, and shall have leave to amend his declaration to such effect, if necessary, that his suit is brought in support of an adverse claim in the United States Land Office."

Also House substitute for C. B. No. 127.

Also has indefinitely postponed further action on substitute for H. B. No. 82.

And has passed H. B's No's 83 and 120.

Also House substitute for C. B. No. 68, amended as follows: By striking out from lines 1 and 2, of section 4, the words, "has hitherto been, or."

The concurrence of the House is requested.

Very respectfully,

Your obedient servant,

JAMES T. SMITH,
Secretary.

Under suspension of the rules, Mr. Marshall reported as follows:

MR. SPEAKER:—Your Committee on Incorporations, to whom was referred C. B. No. 107, have considered the same, and report it back, and recommend that it do pass; also C. B. No. 39, and report the same back, without recommendation.

JAMES Y. MARSHALL,
Chairman.

Report received.

Mr. Trippe moved the rules be suspended, and H. B. No. 91 be taken up.

Motion withdrawn.

On motion of Mr. Mills, C. B. No. 39 was taken up.

Mr. Yonley moved further action on the bill be indefinitely postponed.

Motion lost.

Under suspension of the rules, Mr. Peyton submitted the following report:

MR. SPEAKER:—Your Committee to whom was referred H. B. No. 123, "for an act to establish the county of Uncompahgre," would report that owing to the limited time given the committee to examine the bill, and want of sufficient information on the subject, we report the same back to the House, without recommendation.

I. N. PEYTON,
Chairman.

Received.

Mr. Mills called for the reading of C. B. No. 39.

Mr. Trippe moved the rules be suspended, and the reading of the bill be dispensed with.

Lost.

Messrs. McNutt and Sanchez were excused from further attendance for the time being.

C. B. No. 39 was read.

Mr. McNutt moved to amend the bill, by striking out sections 3 and 7.

Mr. Mills moved to amend, by saying, in section 7, all after the word "labor."

Carried.

Motion as amended, carried.

Mr. Trippe moved to amend, by striking out, in the sixth section, as printed, all after the words, "and they," in the forty-eighth line thereof, down to the fifty-ninth line inclusive; also all after the words "the benefit," in the sixty-eighth line of the same section, down to the words, "the appraisers," inclusive, in the seventy-first line thereof.

Carried.

Mr. Smith moved to amend, in section 5, by striking out, in lines 15, 24, 37, 50, 77, 79, 128, 135, 137, 142, 144, 147, and 149, the word "Judge," and insert in lieu thereof the word "Court," and in the fifteenth line, by inserting, after the words "shall be," the words, "at a regular term thereof"; in the thirty-ninth line, strike out the word "him," and insert the

words, "said Court" in line 40, strike out the word "it," and strike out all after the word "same," in the sixty-first line, to the words, "the appliances," in the seventy-sixth line; in line 76, strike out the word "with," and insert the word "in"; strike out all between the words "the same," in the seventy-ninth line of said section, and the words, "and stating," in the eighty-second line; in line 85, strike out the word "said," and insert the words, "the Probate"; in line 98, strike out the words, "shall become seized in fee and"; in line 128, strike out the word "him," and insert "it," in lieu thereof; and insert after the word "made," the words, "at any regular term thereof"; in line 132, strike out the word "he," and insert the words, "the said Court," in lieu thereof; and after the word "shall," in line 135, insert the words, "before such order of the Probate Court first"; insert after the word "provided," in line 147, the words "at any regular term thereof"; strike out, in line 149, the word "by," and insert the words, in the"; also strike out all of section 5, after the words, "Probate Judge," in said line 149.

Motion carried.

Mr. Trippe moved to further amend the bill, as follows: Add a section, to read as follows: "Sec. 17. All associations or corporations formed or organized, and doing business in this Territory, under the provisions of the law to which this act is amendatory, where there has been in such formation or organisation a substantial compliance with said law, shall be held and deemed to be corporations, and shall be liable to all penalties and forfeitures, and also shall be entitled to all the benefits and advantages of this act as fully as though organized under the provisions hereof."

Carried.

Mr. Mills moved to further amend, by adding a section, to read: "Sec. 18. That any religious, educational, musical, literary, or other incorporation intended for the benefit of all persons who will avail themselves of the privileges thereof, and any person who is the trustee for any fund designed to aid and benefit any of the purposes before mentioned, may receive gifts, grants, devises, and bequests, of either real or personal property, for such use or purpose."

Carried.

Mr. Mills moved to further amend, in section 1, line 6, by inserting, after the word "county," the words, "or to establish and maintain colleges, seminaries, musical, or scientific associations."

Carried.

Mr. Mills moved to amend section 11, by striking out the word "Judge," and inserting the word "Court."

Carried.

Mr. McNutt moved to amend, by striking out sections 2 and 10.

Lost.

Mr. Mills moved to further amend, by adding, after the word "mechanical," in section 1, in the fourth line, the word "agricultural."

Carried.

Mr. McShane moved the further consideration of the bill be postponed, and it be referred to the Committee on Judiciary.

Lost.

Mr. Pisko moved the previous question be put.

Carried.

And the bill was put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Larned, Mills, Meldrum, Marshall, Nimerick, Pisko, Peyton Rand, Smith, Sheldon, and Mr. Speaker—15.

Noes—Messrs. Duhme, Kruse, McShane, McNutt, Patterson, Rottberg, Trippe, and Yonley—8.

So the bill passed, title agreed to.

A message was received from the Governor, stating that he had signed and approved H. J. M. No. 5, H. B's No's 38, 69, 97, 21, 22, 44, 57, 68, 89, 95, and 100, and had refused to sign H. B. No. 72.

On motion of Mr. Marshall, the rules were suspended, and S. H. B. No. 121 was taken up, and read a third time.

Mr. Marshall moved to amend the bill, by inserting, after the word "Court," in the tenth line of the engrossed bill, the following, viz.: "And the said road shall be free and open to the public until such further order is made; but if it shall appear to the Court that said complaint was made without reasonable or probable cause, the Court shall enter judgment against the person who filed said complaint for the costs of suit."

Carried.

Mr. Marshall moved to further amend, by striking out all between the fifth word in the third line, and the third word in the seventh line.

Carried.

The bill, as amended, was put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Kruse, Larned, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, and Yonley—17.

Noes—Messrs. Mills, Meldrum, Smith, Sheldon, and Mr. Speaker—5.

Pending the announcement of the vote,

On motion of Mr. Yonley, the House adjourned.

EVENING SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Quorum present.

On motion of Mr. Smith, the rules were suspended, and S. C. B. No. 67 was taken up.

Read third time and put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

Noes—None.

So the bill passed, title agreed to.

On motion of Mr. Yonley, the rules were suspended, C. B. No. 82 was taken up, and put on its final passage.

The vote resulted as follows.

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Perton, Rand, Rettberg Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

Noes—None.

So the bill passed, title agreed to.

On motion of Mr. Mills, the rules were suspended, and H. B. No. 113 was taken up, and read third time.

Mr. Mills moved that section 8 be stricken out.

Carried.

The bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

No—Mr. Marshall—1.

So the bill passed, title agreed to.

On motion of Mr. Mills, H. B. No. 117 was taken up, and read a third time, and put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—Messrs. Jaramilla, Kruse, and Smith—3.

So the bill passed, title agreed to.

On motion of Mr. Pisko, the rules were suspended, H. B. No. 115 was taken up, read a third time, and put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

No—Mr. Jaramilla—1.

So the bill passed.

Title amended to read "years," and as so amended, agreed to.

On motion of Mr. Rand, C. B. No. 134 was taken up.

On motion, the report of the Committee on Irrigation thereon, was adopted.

On motion of Mr. Trippe, the rules were suspended, and the bill put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—25.

Noes—None.

So the bill passed, title agreed to.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 10, 1876.

To the Honorable Speaker of the House:

SIR: I am instructed to inform your Honorable Body that the Council has passed the following:

Substitute for H. B. No. 34.

H. B. No. 78, amended as follows: By striking out, in first line of section 1, the word "hereafter," and insert in lieu thereof the word "that"; and insert in the first line of said section 1, after the word "companies," the word "hereafter": by inserting in twenty-third line of section 7, after word "company," the words, "further assess the capital stock of said company." By adding the following: "Sec. 14. This act shall not apply to any corporation heretofore organized, unless they file an amended certificate of incorporation under the provisions of this act."

H. B. No. 80.

C. B. No. 128, "for an act to amend 'an act regulating and fixing the salaries of Territorial officers, Private Secretary of the Governor, and fixing contingent expenses of said offices,' approved February 9, 1872."

Also H. B. No. 104.

Also H. B. No. 46.

Also substitute for H. B. No. 5, amended by adding the section that follows: "Sec. 4. This act shall not apply to bonds heretofore voted, nor to bonds authorized to be voted by special law."

The concurrence of the House is requested.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

Mr. Pisko moved the rules be suspended, and C. B. No. 103 be taken up.

Carried.

The bill was read a third time.

Mr. McNutt moved to amend, by striking out the words and figures, "six thousand (6,000)," where they occur in the bill, and insert the words and figures, "ten thousand (10,000)"

in lieu thereof; also strike out the word "a," in section 3, before the word "Commissioner," and insert the word "two," in lieu thereof.

Carried.

Mr. McNutt moved to further amend, as follows: "Provided that one of the Commissioners shall be chosen from some place north of the Divide, and the other from some place south of the Divide, said Divide being known as the Divide between Northern and Southern Colorado."

Carried.

Mr. Trippe moved to further amend, by adding to section 4: "Provided that neither the Territory nor the Commissioners shall be responsible to the owners thereof for the safe transportation or custody of any of said articles."

Carried.

Mr. Mills moved to further amend, by striking out the word "he," where it occurs in the bill, and insert the word "they," in lieu thereof; also insert after the word "required," in line 3 of section 3, "They shall have charge of, and be accountable for, all articles or products donated to this Territory for exhibition at the Centennial Exhibition."

Carried.

Mr. Pisko moved to further amend, by inserting, after the word "shall," in the first line of section 6, the word "each."

Mr. Smith moved to further amend, by striking out the word "or," after the word "Commissioner," in section 7.

Carried.

Mr. McNutt moved to amend.

Mr. Peyton moved the previous question.

Carried.

The bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—Messrs. Everitt, Jaramilla, and Rettberg—3.

So the bill passed, title agreed to.

Mr. McNutt moved the rules be suspended, and C. B. No. 53 be taken up.

Mr. Everitt was excused from further attendance during the evening.

Mr. McNutt moved the vote by which the bill was amended by striking out the word "eleven," from section 1, be reconsidered.

Carried.

Mr. McNutt moved the bill be now read a third time, and put on its final passage.

Mr. Peyton moved to amend the bill.

Mr. Trippe moved the previous question.

Mr. Peyton raised the point of order that he had the floor, and therefore the motion was out of order.

The Chair decided the point of order well taken.

Mr. Peyton now moved to amend the bill, as follows: That section 2 of said act be, and the same is hereby amended, by striking out the words and figures, "five hundred (500)," when they occur in said section, and inserting in lieu thereof the words and figures, "three hundred (300)."

The ayes and noes were called for on the motion.

Those voting aye were Messrs. Bingham, Duhme, Gurule, Jaramilla, Kruse, Larned, Meldrum, McShane, Nimerick, Pisko, Peyton, Rand, Rettberg, Sheldon, Sanchez, and Mr. Speaker—16.

Noes—Messrs. Apadaca, Mills, Marshall, McNutt, Patterson, Smith, Trippe, and Yonley—8.

So carried.

Mr. Trippe now moved the previous question.

Carried, and the bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg Sanchez, Trippe, and Yonley—21.

Noes—Messrs. Smith, Sheldon, and Mr. Speaker—3.

So the bill passed, title agreed to.

On motion of Mr. Yonley, the rules were suspended to allow the vote taken on S. H. B. No. 121, prior to adjournment this afternoon, to be announced.

Ayes, 17.

Noes, 5.

So the bill passed, title agreed to.

On motion of Mr. McNutt, the amendments proposed by the Council to H. B. No. 78, were concurred in.

On motion of Mr. Marshall, the amendments proposed by the Council to H. S. S. C. B. No. 68, were concurred in.

On motion of Mr. Patterson, the amendments proposed by the Council to H. B. No. 60, were concurred in.

Mr. Smith moved the rules be suspended, and H. B. No. 123 be taken up.

Motion lost.

On motion of Mr. Smith, the report of the Committee on Printing, on C. B. No. 57, was adopted.

On motion of Mr. McNutt, H. B. No. 78 was taken up.

Mr. McNutt moved the House concur in Council amendments to said bill.

Carried.

Mr. Marshall moved that H. S. for S. C. B. No. 68, be taken up.

Carried.

Mr. Marshall moved that the House concur in Council amendments to said bill.

Carried.

Mr. Patterson moved that H. B. No. 60 be taken up, and that the House concur in Council amendments to the bill.

Carried.

Mr. Smith moved the rules be suspended, and H. B. No. 123 be taken up.

Lost.

Mr. Kruse reported as follows:

Mr. Speaker:—We, your Committee on Enrollment, beg leave to report back H. B's No's 51, 83, 98, and 120, and H. S. for C. B. No. 127, correctly enrolled.

Respectfully submitted,
FREDERICK KRUSE,
Chairman.

Received.

Mr. Pisko moved the rules be suspended, and C. B. No. 57 be read a third time, and put on its final passage.

Carried.

The bill was read a third time.

Mr. Mills moved to amend the bill, by adding to section 1 the following: "Provided that an ordinary freight train, with a caboose or passenger car attached, shall not be construed as a train of cars," under this act.

Mr. Pisko moved to amend the amendment, by striking out the words, "or passenger car."

The ayes and noes were called for.

Those voting aye were Messrs. Apadaca, Bingham, Duhme, Gurule, Jaramilla, Larned, Meldrum, Pisko, Rettberg, Smith, and Mr. Speaker—11.

Noes—Messrs. Mills, McShane, Marshall, McNutt, Nimerick, Patterson, Peyton, Rand, Sheldon, Sanchez, Trippe, and Yonley—12.

So the amendment was lost.

Mr. Smith moved to further amend, by inserting, after the word "car," the words, "used as a caboose."

Carried.

The bill was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—Messrs. Patterson and Peyton—2.

So the bill passed, title agreed to.

On motion, Mr. Trippe was excused for half an hour.

On motion of Mr. Pisko, the House adjourned.

THIRTY-THIRD DAY.

FRIDAY, February 11, 1876, 10 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

The reading of the Journal was dispensed with until the afternoon.

Mr. Bingham reported as follows:

MR. SPEAKER:—The Joint Committee on Enrollment, beg leave to report that they have examined House Bills No's 64, 83, 98, H. S. for C. B. No. 137, 120, and 51, and find the same to be correctly enrolled.

FRANK BINGHAM,
Chairman House Joint Committee.

MR. SPEAKER:—The Joint Committee on Enrollment has examined House Bills No's 38, 97, 69 and House Joint Memorial No. 5; also Council Bills No's 95, 138, and 105, and find them to be correctly enrolled; they also report that the above

named bills were presented to the Governor for his approval at 2:30 o'clock, p. m., February 10,-1876.

F. BINGHAM,
Chairman House Joint Committee.

Reports received.

On motion of Mr. McShane the House concurred in Council amendments to House Bill No. 76.

C. B. No. 119 was read second time, and referred to the Committee of the Whole.

C. B. No. 121 was read second time, and referred to the Committee of the Whole.

C. B. No. 126 was read second time.

On motion of Mr. Mills the bill was read a third time and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

C. B. No 128 was read second time.

Mr. Mills moved to amend the bill by striking out "sixteen hundred" in the fifth line of section 1, and insert "eighteen hundred" in lieu thereof.

Mr. Mills moved to amend his motion by striking out "$200 from the Adjutant-General's salary, and add that amount to the salary of the Superintendent of Public Instruction."

A division of the question was called for.

Mr. Sheldon moved to strike out the first two lines of sec. 1.

Motion carried.

Mr. McNutt moved the vote by which the first two lines of section 1 were stricken out be reconsidered.

Carried.

Mr. Sheldon now withdrew his motion.

The question now being to strike out "500" and insert "200," was carried.

The question now being to strike out the words and figures "sixteen hundred (1,600)" and insert the words and figures "eighteen hudnred (1,800)" was lost.

Mr. Pisko moved to amend sec. 9 by striking out "2,500" and inserting "2,000" in lieu thereof.

Motion carried.

Mr. Pisko moved to amend sec. 7 by striking out " 1,000 " and inserting " 600 " in lieu thereof.

Carried.

On motion of Mr. Sheldon, sec. 7 was so amended as to read as folllows: " The Board of Managers of the Penitentiary shall receive an annual salary of $600 each."

The bill as amended was now put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Bingham, Dühme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Sheldon, Sanchez, Trippe, Yonley and Mr.Speaker—23.

No—Mr. Rettberg—1.

So the bill passed, title agreed to.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 11, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has concurred in House amendments to C. B. No. 134, and has refused to concur in House amendments to C. B. No. 53, from which amendments the House is respectfully requested to recede.

Bill herewith returned.

Very respectfully, your obedient servant,
JAS. T. SMITH,
Secretary

Mr. Trippe moved the House recede from its amendments to C. B. No. 53.

Carried.

Mr. Marshall moved the rules be suspended, and C. B. No. 109 be taken up and read third time and put on its final passage.

Carried.

Mr. Mills moved the bill be amended by inserting after the word "court" in the second line of sec. 1 the words " or Probate;" also strike out the word " district " in the seventh line.

Carried.

The bill was now put on its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg Sheldon, Sanchez, Trippe, Yonley and Mr. Speaker—23.

No—Mr. Everitt—1.

So the bill passed, title amended by inserting the word "certain" between the word "of" and "county," and inserting the words "and Probate" after the word "District."

As so amended agreed to.

Mr. Kruse reported as follows:

MR. SPEAKER:—We, your Committee on Enrollment, beg leave to report back House Bills No's 34, 46, 60, 68, 78, 80, and 104, correctly enrolled.

Respectfully submitted,
FREDERICK KRUSE,
Chairman.

Mr. Meldrum moved the rules be suspended and H. B. No. 91 be taken up.

Mr. Pisko called for the ayes and noes.

Those voting aye were Messrs. Bingham, Everitt, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Rand, Sanchez, Trippe, and Yonley—12.

Noes—Messrs. Apadaca. Duhme, Gurule, Jaramilla, Kruse, Pisko, Patterson, Peyton, Rettberg, Smith, and Sheldon—11.

So the motion was lost.

The following message was received from the Council.

COUNCIL CHAMBER,
DENVER, February 11, 1876.

To the Hon. Speaker of the House.

SIR:—I am instructed to inform your Honorable Body that the Council has concurred in House amendments to C. B. No. 82; also that the Council has indefinitely postponed the further consideration of H. B. No. 56, concerning compulsory education; also that the Council has passed C. B. No. 113 for an act to establish the county of Wilson.

The concurrence of the House is requested.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

Mr. Patterson moved the rules be suspended and Mr. Trippe be allowed to introduce a resolution.

The ayes and noes were called for.

Those voting aye were Messrs. Duhme, Everitt, Jaramilla, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Patterson, Peyton, Rand, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—16.

Those voting no were Messrs. Apadaca, Bingham, Gurule, Kruse, Larned, Pisko, and Rettberg—7.

So lost.

Mr. Trippe appealed from the chair.

Appeal withdrawn.

C. B. No. 137 was read second time.

Mr. Mills moved the rules be suspended, the bill be read a third time and put upon its final passage.

Lost.

Mr. Duhme moved to strike out section 3.

Mr. McNutt moved to lay the motion on the table.

Motion withdrawn.

Mr. Mills moved the motion of Mr. Duhme be indefinitely postponed.

The ayes and noes were called for.

Those voting aye were Messrs. Bingham, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, McNutt, Pisko, Peyton, Rettberg, Sheldon, Sanchez, Trippe, and Mr. Speaker—16.

Noes—Messrs. Apadaca, Duhme, Jaramilla, Marshall, Nimerick, Patterson, Rand, and Yonley—8.

So the motion was carried.

Mr. Patterson moved to amend by striking out the last word in the third line, and all of the 4th line in section 4.

Mr. Mills called for the ayes and noes on the motion.

Those voting aye were Messrs. Apadaca, Duhme, Jaramilla, Marshall, Nimerick, Patterson, Rand, and Yonley—8.

Those voting no were Messrs. Bingham, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, McNutt, Pisko, Peyton, Rettberg, Sheldon, Sanchez, Trippe, and Mr. Speaker—16.

So lost.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 11, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has passed H. B. No. 117.

Also C. B. No. 106, for an act to amend chapter 18 of the Revised Statutes; also that the Council has concurred in House amendment to C. B. 57, but refuse to concur in House amendment to C. B. No. 103, and requests the House to recede therefrom.

Also that the Council has concurred in House amendments to C. B. No. 39, and has passed C. B. No. 140, for an act to amend section 19 of chapter 17 of the Revised Statutes, entitled "Conveyances."

The concurrence of the House is requested in the Council Bills herewith transmitted.

Very respectfully,
Your obedient servant,
JAS. T. SMITH,
Secretary.

Mr. Kruse reported as follows:

MR. SPEAKER:—We, your Committee on Enrollment beg leave to report back H. B. No. 76 correctly enrolled.

F. KRUSE,
Chairman.

Report received.

Mr. McNutt moved the House insist upon its amendments to C. B. No. 103.

Mr. Kruse moved the House recede from its amendments.

On motion of Mr. Mills the question was postponed (5) five minutes.

Mr. McShane moved the rules be suspended and H. B. No. 110 be taken up.

The ayes and noes were called for.

Those voting aye were Messrs. Bingham, Duhme, Everitt, Gurule, Kruse, Larned, McShane, Marshall, Nimerick, Pisko, Patterson, Rand, Rettberg, Sheldon, Trippe, and Yonley—15.

Noes—Messrs. Meldrum, Peyton, Sanchez, and Mr. Speaker —4.

Messrs. McNutt and Mills were excused from voting.

So the motion was lost.

The question now being to recede from House amendments to C. B. No. 103, Mr. Mills moved to amend by saying "recede from all of House amendments except the second amendment to section 3."

The ayes and noes were called for.

Mr. Yonley moved a call of the House.

On motion of Mr. McNutt, further proceedings under the call were dispensed with.

Those voting aye were Messrs. Apadaca, Kruse, Larned, Mills, McShane, Marshall, Nimerick, Pisko, Patterson, Rand, Yonley, and Mr. Speaker—12.

Noes—Messrs. Bingham, Duhme, Everitt, Gurule, Jaramilla, Meldrum, McNutt, Peyton, Rettberg Sheldon, Sanchez, and Trippe—12.

So lost.

The question now being on the motion of Mr. McNutt to insist on House amendments to C. B. No. 106, the ayes and noes were called.

Those voting aye were Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Meldrum, Marshall, McNutt, Peyton, Rettberg, Sheldon, Sanchez, and Mr. Speaker—14.

Noes—Messrs. Kruse, Larned, Mills, McShane, Nimerick, Pisko, Patterson, Rand, Yonley—11.

So the motion carried.

Mr. McNutt moved a Committee of Conference be appointed to confer with a like committee from the Council.

Carried.

The Chair appointed Messrs Sheldon, Bingham, and Duhme, such committee.

Mr. Marshall moved the committee be instructed to report at 2 o'clock p. m.

Mr. McNutt moved to amend by saying 3 o'clock p. m.

Mr. Mills moved to amend the amendment offered by Mr. McNutt, by saying 2 o'clock p. m.

Carried.

Mr. Mills moved the Council be requested to appoint a like committee.

Carried.

C. B. No. 137 was taken up and placed on file for third reading.

C. B. No. 107 was taken up.

Mr. McShane moved to amend by striking out in section 6 the words "By the City Council as shall be provided for by ordinance," and insert in lieu thereof the words "as now provided by law."

Carried.

Mr. McShane moved to further amend by inserting after the word "removed" in the third line, the words for "cause."

Carried.

On motion of Mr. Pisko the bill was placed on file for third reading.

On motion of Mr. Peyton the rules were suspended and C. B. No. 113 was taken up and referred to the Committee on County and County Lines.

On motion of Mr. Kruse the report of the Judiciary Committee on C. B. No. 120 was adopted, and the bill ordered engrossed.

Mr. Gurule moved the rules be suspended and H. B. No. 111 be taken up, read a third time, and put upon its final passage.

The ayes and noes were called for.

Those voting aye were Messrs. Apadaca, Gurule, Larned, Mills, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Rand, Sheldon, Sanchez, and Y onley—14.

Noes—Messrs. Bingham, Duhme, Everitt, Jaramilla, Kruse, Meldrum, Peyton, Rettberg, Tripp and Mr. Speaker—10.

So the motion was lost.

Mr. Patterson moved the House adjourn until 1:30 o'clock p. m.

Lost.

Mr. Pisko moved the House adjourn until 2 o'clock p. m

Lost.

Mr. Duhme moved the House adjourn.

Lost.

Mr. McNutt moved that Mr. Trippe be excused until 1:30 p. m.

Lost.

On motion of Mr. Bingham the report of the Judiciary Committee on C. B. No. 125 was adopted.

On motion the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION—2 o'clock p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Mr. Sheldon, of Conference Committee on C. B. No. 103, reported verbally, in substance, as follows:

The Council would concur in all of the House amendments, except the one relating to the appointment of two commissioners, and request the House to recede from said amendment.

Mr. Pisko moved the House recede from the amendment referred to by the Conference Committee.

Motion carried.

Mr. Rand moved the reaning of the Journal be dispensed with.

Motion carried.

C. B. No. 120 was read third time and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Everitt, Jaromilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Smith, Sanchez, and Mr. Speaker—17.

Noes—Messrs. Patterson, Rettberg, Sheldon, Trippe, and Yonley—5.

So the bill passed, title agreed to.

Mr. Kruse reported as follows:

MR. SPEAKER:—We, your committee on Enrollment, beg leave to report back substitute for H. B. No. 5 and H. B. No. 117 correctly enrolled.

Respectfully submitted,

F. KRUSE,
Chairman.

Report received

C. B. No. 127 was read third time.

On motion of Mr. Kruse further action on the bill was indefinitely postponed.

C. B. No. 125 was read third time.

On motion of Mr. Smith the bill was amended by striking out the word "respectfully," and inserting the word "respectively" in lieu thereof.

The bill as amended, was put upon its final passage

The vote resulted as follows:

Ayes—Messrs. Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, Nimerick, Pisko, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—20.

Noes—Messrs. McNutt and Patterson—2.

So the bill passed, title agreed to.

C. B. No. 107 was read third time and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, Nimerick, Pisko, Patterson, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—22.

Noes—None.

So the bill passed, title agreed to.

C. B. No. 137 was taken up.

Mr. Trippe moved that all of section 3 after the word "applying" be stricken out.

Carried.

Bill as amended was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, Nimerick, Pisko, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr Speaker—22.

Noes—Messrs. McNutt and Patterson—2.

So the bill passed, title agreed to.

Mr. Sheldon moved that H. B No 123 be taken up.

Carried.

The bill was read a third time.

Mr. Sheldon moved to amend as follows. Amend section 1 by striking out the words, "The same crosses the summit of the dividing range of mountains between the waters of the Rio Grande river and of the Gunnison river, and thence in a westerly direction along the summit of said range of mountains and of the range of mountains between the waters of the Gunnison and Grand rivers on the north, and the San Juan river on the south," and insert in lieu thereof the words: "A line due east from the mouth of Poughkeepsie gulch would strike the same, thence west."

Mr. Trippe moved to amend the amendment by adding the following: "Beginning at a point on the boundary line between Hinsdale and La Plata counties, due east of the point where the Poughkeepsie fork empties into the Uncompahgre; running thence due west to the western boundary of La Plata county; thence due north to the northern boundary of the county; thence due east to the eastern boundary; thence due south to the place of beginning."

Amendment accepted, and on motion the motion as amended was carried.

Mr. Patterson moved to amend by striking out the word "Uncompahgre" wherever it occurs in the bill, and inserting the word "Hardin."

Mr. McNutt moved to amend the amendment by striking out "Hardin" and inserting the word "Gunnison" in lieu thereof.

Mr. Mills moved the previous question be put.

Carried.

The question being to strike out the word "Uncompahgre" and insert the word "Hardin," was lost.

The bill was now put upon its final passage.

The vote resulted as follows.

Ayes—Messrs. Apadaca. Duhme, Gurule, Jaramilla, Mills, Meldrum, McShane, McNutt, Pisko, Patterson, Smith, Sheldon, and Trippe—13.

Noes—Messrs. Bingham, Everitt, Kruse, Larned, Marshall, Nimerick, Rand, Rettberg, Sanchez, and Mr. Speaker—10.

So the bill did not pass.

On motion of Mr. Mills H. B. No. 110 was taken up.

On motion of Mr. Mills the bill was amended as follows:

Sec. 3. That sec. 15 of chapter 20 of the Revised Statutes of Colorado, entitled "Evidence and Depositions" be and the same is hereby repealed, and the following is enacted instead thereof: "Whenevever any deposition is taken in pursuance of this chapter, it shall be the duty of the clerk of the court in which the suit is pending, in which the deposition is taken immediately upon the receipt of such deposition to endorse upon the wrapper thereof the time of the receipt thereof by hm, and to open and file the same in his office; at any time after the filing of such deposition as aforesaid, any party to the cause or his attorney, interested therein, shall be permitted to inspect and take a copy of the same."

The bill as amended was put upon its final passage.

The vote resulted as follows:—

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Rand, Rettberg Smith, Sheldon, Sanchez, Trippe, Yonley and Mr. Speaker—22.

No—Messrs. Jaramilla and Patterson.

So the bill passed, title agreed to.

H. B. No. 91 was read third time

The bill was put upon its final passage.

The vote resulted as follows.

Ayes—Messrs. Bingham, Everitt, Larned, Mills, Meldrum, McShane, McNutt, Nimerick, Rand, Trippe, Yonley and Mr. Speaker—12.

Noes—Messrs. Apadaca, Duhme, Gurule, Jaramilla, Kruse, Marshall, Pisko, Patterson, Rettberg, Sheldon, and Sanchez —11.

So the bill did not pass.

H. B. No. 111 was read third time and passed by the following vote:

Ayes—Messrs. Apadaca, Bingham, Everitt, Gurule, Larned, Mills, McNutt, Nimerick, Pisko, Rand, Sheldon, Sanchez, Yonley, and Mr. Speaker—15

Noes—Messrs Duhme, Jaramilla, Kruse, McShane, Marshall, Patterson, Rettberg, and Trippe—8.

Title agreed to.

H. B. No. 101 was read a third time, and passed by the following vote.

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—23.

Noes—None.

Title agreed to.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 11, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has refused to pass substitute for House Bill No. 28; that it has passed Council Bill No. 130 for an act concerning the printing of the acts of the 11th session of the Legislative Assembly; also C. B. No. 101 for an act to amend an

act to establish a school for deaf mutes in Colorado, approved February 13, 1874; also H. B s numbered 105 and 119; that the Council has indefinitely postponed the further consideration of substitute for H. B. No. 121; that the Council has appointed as a Committee of Conference in regard to Council Bill No. 103. Messrs Stiles, Salisbury, and Hahn; that the Council has concurred in the House amendments to C. B. No. 128, except the amendments to sections 7 and 9 of said bill, in which it does not concur, and requests the House to recede therefrom.

The concurrence of the House is requested.

Very respectfully,

Your obedient servant,

JAS. T. SMITH,
Secretary.

H. B. No. 122 was read third time.

On motion of Mr. Rettberg the bill was amended by striking out all after the word "peace" in the seventh line of sec. 1.

The bill as amended, was put upon its final passage.

The vote resulted as follows:

Those voting aye were Messrs. Duhme, Everitt, Gurule, Larned, Meldrum, and McNutt—6.

No were Messrs. Apadaca. Bingham; Jaramilla, Kruse, Mills, McShane Marshall, Nimerick, Rand, Pisko, Patterson, Rettberg, Smith, Sheldon, Sanchez. Trippe, and Yonley—18.

So the bill did not pass.

On motion of Mr. Rettberg the rules were suspended, and C. B. No. 106 was taken up.

The bill was read a third time and put upon its final passage.

Those voting aye were Messrs. Apadaca, Duhme, Bingham, Gurule, Jaramilla, Kruse, Larned, Mills, McShane, Pisko, Rettberg, Smith, Sheldon, Sanchez, and Mr. Speaker—14.

Noes—Messrs. Everitt, Meldrum, Marshall, McNutt, Nimerick, Patterson, Rand, Trippe, and Yonley—9.

So the bill passed, title agreed to.

A message was received from the Governor, stating that he had signed and approved House Bills numbered 34, 46, 51, 60, 64, 76, 80, 83, 98, 104, 120, and 127.

On motion of Mr. Pisko C. B. No. 128 was taken up.

On motion of Mr. Pisko the House refused to recede from its amendments.

Mr. Smith moved a Conference Committee be appointed to confer with a like committee from the Council.

Carried.

The Chair appointed as such committee Messrs. Pisko, Everitt and Marshall.

Mr. Mills moved the last clause of Rule 19 be suspended during the remainder of the session.

Motion lost.

On motion of Mr. Marshall the rules were suspended, C. B. No. 140 was taken up, read a second and third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs Apadaca, Bingham, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, and Rettberg—14.

No—Messrs. Jaramilla, Patterson, Smith, Sheldon, Sanchez, and Mr. Speaker—6.

Messrs. Duhme and Everitt excused from voting.

So the bill passed, title agreed to.

The House now went into Committee of the Whole on General File.

Mr. Pisko in the chair.

After a time the committee arose and reported as follows:

MR. SPEAKER: — The Committee of the Whole have considered C. B. No. 119, and report the same back to the House and recommend it do pass.

C. B. No. 121 and report the same back to the House, and recommend it do pass.

E. PISKO,
Chairman.

Report adopted.

On motion of Mr. Bingham the rules were suspended and C. B. No. 119 was read a third time and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, Marshall, McNutt, Nimerick, Pisko, Rand, Rettberg, Sheldon, Sanchez, Trippe, Youley, and Mr. Speaker—24

No—Mr. Smith—1.

So the bill passed, title agreed to.

On motion of Mr. Bingham, the rules were suspended and C. B. No. 126 was taken up, read a third time and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, Nimerick, Pisko, Peyton, Rand, Rettberg, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—21.

Noes—Messrs. Everitt, McNutt, and Smith—3.

So the bill passed, title agreed to.

On motion of Mr. Mills, C. B's No's 101 and 130 were taken up for second reading, and read second time.

Under suspension of the rules, C. B. No. 101 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker—24.

Noes—None.

So the bill passed, title agreed to.

Under suspension of the rules, C. B. No. 130 was read third time.

Mr. Smith moved to amend, by inserting, after the word "amendments," the words, "the Declaration of Independence."

Carried.

Bill so amended, and as amended, was put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Yonley, and Mr. Speaker—23.

Noes—None.

So the bill passed, title agreed to.

H. B. No. 102 was read second time.

On motion of Mr. Smith, further action was indefinitely postponed.

On motion, the House adjourned until seven o'clock this evening.

EVENING SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 11, 1876.

To the Honorable Speaker of the House:

SIR: I am instructed to inform your Honorable Body that the Council has concurred in all of the House amendments to C. B. No. 103, but amends section 3 of said bill as follows: By adding to the end of section 3 the following: "Said warrants to be drawn on any funds in the Territory not otherwise appropriated by any of the acts of the Eleventh Legislative Assembly of Colorado Territory, and the Auditor of the Territory is authorized and requested to write across the face of said warrants the words, "Centennial Exposition," and request the concurrence of the House in the amendment.

That the Council has concurred in House amendments to C. B. No. 130, and has refused to pass H. B. No. 108.

Also that the Council has concurred in House amendments to C. B. No. 107, and has passed H. B. No. 111.

Also C. S. for H. B. No. 116.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary

On motion, C. B. No. 128 was taken up.

Mr. Bingham reported as follows:

MR. SPEAKER:—The Joint Committee on Enrollment beg leave to report that they have examined H. B's No's 46, 78, 64, 120, 76, 80, 60, 104, and 83, and C. B's No's 123, 111, 67, 88, 115, 66, 82, and 44, and substitute for H. B's No's 34, 98, and 51, and House substitute for C. B's No's 127 and 68, and find the same to be correctly enrolled; and they would further report that the same were presented to the Governor for his approval at 2:30 o'clock p. m., February 11, 1876.

FRANK BINGHAM.
Chairman House Joint Committee.

Report received.

C. B. No. 128 was read.

On motion of Mr. Patterson, the House receded from its amendments to sections 7 and 9 of said bill.

On motion of Mr. Pisko, section 7 of C. B. No. 128 was amended, by striking out the words and figures, "one thousand (1,000)," and inserting in lieu thereof the words and figures, "nine hundred (900)."

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 11, 1876.

To the Hon. Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has concurred in House amendments to C. B's No's 125 and 128, and in all of House amendments to C. B. No. 120, except the first amendment to section 1 of said bill, in which it does not concur, and request the House to recede therefrom. Bill herewith returned.

And has passed H. B. No. 65.

Very respectfully,
Your obedient servant,
JAS. T. SMITH,
Secretary.

Mr. Marshall moved the House concur in Council amendments to C. B. No. 103.

Motion withdrawn.

Mr. Pisko moved the House recede from its amendments to section 3 of C. B. No. 103.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 11, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that the Council has passed H. B. No. 110.

That the Council has appointed Messrs. Rice, Salisbury, and

A. D. Wilson a Committee of Conference in regard to House amendments to C. B. No. 128.

Also that the Council has passed H. B. No. 109.

Very respectfully,

Your obedient servant,

JAMES T. SMITH,

Secretary.

The question now being on Mr. Pisko's motion to recede from House amendments to section 3 of C. B. No. 103, was put and lost.

Mr. McNutt moved the further consideration of the bill be indefinitely postponed.

The ayes and noes were called for.

Motion withdrawn.

Mr. Smith moved a Committee of Conference be appointed, with Mr. Sheldon as chairman, to confer with a like committee from the Council, on C. B. No. 103.

Motion carried.

The chair appointed as such committee Messrs Sheldon, Bingham, and Yonley.

Mr. Bingham reported as follows:

MR. SPEAKER:—The Joint Committee on Enrollment would report that they have examined H. B's No's 119, 105, and 117, and substitute for H. B. No. 5, and C. B's No's 126, 134, 140, 57, 106, 53, and 135, and find them to be correctly enrolled. They would further report that all the above-named bills were presented to the Governor for his approval at eight o'clock p. m., February 11, 1876.

FRANK BINGHAM,

Chairman House Joint Committee.

Received.

On motion of Mr. Pisko, C. S. for H. B. No. 116 was taken up.

Read second time under suspension of the rules.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 11, 1876.

To the Honorable Speaker of the House:

SIR:—I am instructed to inform your Honorable Body that

the Council has concurred in House amendments to sections 3, 4, and 5 of C. B. No. 129, and have amended section 5, as amended, by adding to the end of said section: "Said warrants to be drawn on the Treasury, and paid out of any funds not otherwise appropriated by any act of the Eleventh Legislative Assembly of Colorado Territory, and to be by the Auditor endorsed across the face of said warrants, 'Constitutional Convention,'" and with this they concur in said amendments, and ask your concurrence in the Council amendments. Bill herewith transmitted.

Also that further action on H. B. No. 81 has been indefinitely postponed.

That H. B. No. 115 has been passed, amended as follows: By striking out, in line 3 of section 1, the words, "two and one half," and inserting instead, "one and one half"; and by striking out, in line 5 of said section, the word "two," and inserting instead, "one and one-half."

The concurrence of the House is requested.

Very respectfully,
Your obedient servant,
JAS. T. SMITH,
Secretary.

Mr. Kruse reported as follows:

MR. SPEAKER:—We, your Committee on Enrollment, beg leave to report back House Bills No's 109, 111, 110, and 65, correctly enrolled.

FREDERICK KRUSE,
Chairman.

Report received.

On motion of Mr. McNutt, the House concurred in Council amendments to C. B. No. 129.

Mr. Pisko offered the following amendments to C. S. H. B. No. 116, which were adopted: "Sec. 14. For the payment of Joseph T. Boyd, Chief Clerk of the House for the Tenth Legislative Assembly, the sum of twenty-five ($25) dollars, which sum is due said Joseph T. Boyd for his services and expenses incurred in attending upon, and calling to order the Eleventh Session of the House of Representatives, as provided in section (1) one of chapter fifty-one (51) of the Revised Statutes of Colorado, and the Auditor is hereby authorized to draw his

warrant upon the Treasurer for the sum herein named, in favor of the said Joseph T. Boyd." Also section 13. "for the payment of Cyrus H. McLaughlin, the sum of twenty-five ($25) dollars, which sum is due said Cyrus H. McLaughlin for administering the oath of office to the Eleventh Legislative Assembly, and the Auditor is hereby authorized to draw his warrant upon the Treasurer for the sum herein named, in favor of said Cyrus H. McLaughlin."

Mr. Trippe moved to further amend the bill, by adding to the section providing for salaries and expenditures, the following: "For the enrolling and engrossing clerks of the House the same extra pay as is allowed to the corresponding officers of the Council, and to be paid in like manner."

On motion, the amendment was adopted.

On motion of Mr. Sheldon, the House concurred in Council amendments to C. B. No. 103.

Mr. McNutt moved to amend C. S. for H. B. No. 116, by striking out the word and figures "fifty (50)," in that portion of the bill where it refers to the pay of Foster Nichols, and inserting the words and figures, "twenty-five (25)," in lieu thereof.

Motion carried; bill so amended.

Mr. Sheldon moved to further amend the bill, by inserting, in the eighth section, the word "not," between the words "claims," and "herein."

Motion carried.

Mr. Yonley moved to amend, in section 8, line 26, by striking out the words and figures, "one hundred (100)," and inserting the words and figures, "one hundred and fifty (150)," in lieu thereof; in line 27, by striking out the words and figures, "seventy-five (75)," and inserting the words and figures, "one hundred (100)," in lieu thereof.

Motion carried; bill so amended.

Mr. Pisko moved to further amend section 8, after the word "clerks," in the fourth sub-division, by adding the words, "and other employes of the Council and House."

Motion carried.

Mr. Sheldon moved to further amend, by saying, "not paid by the General Government."

Carried.

A message was received from the Governor, stating that he had signed and approved S. H. B. No. 5, and H. B's No's 105, 117, and 119.

Mr. Marshall moved that the vote by which the words and

figures, "fifty (50)," in that part of section 5 of C. S. for H. B No. 116, relating to the payment of Foster Nichols, were stricken out, and the words and figures, "twenty-five (25)," inserted in lieu thereof, be reconsidered.

Carried.

On motion of Mr. Marshall, the motion was laid on the table.

On motion of Mr. Mills, section 14 of C. S. H. B. No. 116 was amended, by striking out the words and figures, "twenty-five (25)," and inserting the words and figures, "fifty (50)," in lieu thereof.

Mr. Pisko moved that C. S. for H. B. No. 116, as amended, be read third time by title, and put upon its final passage.

Mr. Smith moved to amend, and the bill be read a third time at length.

Carried.

The bill was read a third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Bingham, Duhme, Everitt, Gurule, Jaramilla, Kruse, Larned, Mills, Meldrum, McShane, Marshall, McNutt, Nimerick, Pisko, Patterson, Peyton, Rand, Rettberg, Smith, Sheldon, Sanchez, Trippe, Yonley, and Mr. Speaker —25.

Noes—None.

So the bill passed, title agreed to.

Mr. Pisko moved the House take up H. B. No. 115.

Carried.

Mr. Mills moved the House concur in Council amendments to H. B. No. 115.

Motion withdrawn.

On motion of Mr. Pisko, the House refused to concur.

On motion of Mr. Mills, the House took a recess of twenty minutes.

House called to order.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 11, 1876.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has concurred in House amendments to C. S. for

H. B. No. 116, and has passed the following: C. B. No. 141, "for an act in regard to evidence."

The concurrence of the House is requested.

Also that the Council still insists upon its amendments to H. B. No. 115, and has appointed Messrs. Hughes, Eaton, and Clelland a committee to confer with like committee from the House, in reference thereto.

Has indefinitely postponed further action in regard to H. B. No. 101, and took the same action in regard to H. B. No. 106.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

On motion of Mr. Marshall, a Conference Committee, consisting of Messrs. Pisko, Peyton, and Sheldon, was appointed to confer with a similar committee from the Council, in regard to H. B. No. 115.

Mr. Marshall moved that the House insist on its amendments to C. B. No. 120.

Carried.

On motion of Mr. Mills, a Conference Committee was appointed, consisting of Messrs. Mills, Marshall, and Kruse, to confer with a like committee from the Council, in regard to C. B. No. 120.

C. B. No. 141 was taken up.

Mr. Mills moved the rules be suspended, the bill read a second and third time, and put on its final passage.

Carried.

Mr. Jaramilla moved a call of the House.

Carried.

Roll called.

Absent—Messrs. Bingham, Patterson, and Rettberg.

The Sergeant at-Arms was instructed to secure the doors, and enforce the call, and bring to the House the absent members.

The Assistant Sergeant-at-Arms brought forward Messrs. Bingham, Patterson, and Rettberg.

Mr. Pisko moved the previous question.

Carried.

C. B. No. 141 was read third time, and put upon its final passage.

The vote resulted as follows:

Ayes—Messrs. Apadaca, Duhme, Gurule, Jaramilla, Kruse,

Larned, Mills, McShane, Marshall, McNutt, Nimerick, Patterson, Rand, Rettberg, Smith, Sanchez, Trippe, Yonley, and Mr. Speaker—19.

No—Mr. Meldrum—1.

Messrs. Bingham and Everitt excused from voting.

So the bill passed, title agreed to.

Mr. Bingham reported as follows:

MR. SPEAKER:—The Joint Committee on Enrollment would report that they have examined H. B's No's 65, 111, 109, and 110, and C B's No's 107, 121, 130, 119, and 21, and find them to be correctly enrolled. They would further report that all the above-named bills were presented to the Governor for his approval, at a quarter to eleven o'clock, p. m., February 11, 1876.

F. BINGHAM,
Chairman House Joint Committee.

Reports received.

On motion of Mr. Patterson, the House took a recess of ten minutes.

Called to order.

Mr. Sheldon, of Conference Committee, reported that the Council was inflexible in its determination to insist on its amendments to H. B. No. 115.

Mr. McShane moved the House concur in Council amendments to H. B. No. 115.

The ayes and noes were called for.

Those voting aye were Messrs. Everitt, Gurule, Larned, McShane, Nimerick, Patterson, Smith, Sheldon, Yonley, and Mr. Speaker—10.

Noes—Messrs. Meldrum, McNutt, Pisko, Peyton, Rand, Rettberg, Sanchez, and Trippe—8.

So the motion was lost.

Mr. Pisko moved the vote just taken be reconsidered.

Carried.

The question now being on the question, "Shall the House concur in Council amendments to H. B. No. 115?" was carried.

Mr. Sheldon moved that a committee be appointed to inform the Council that the House was ready to adjourn *sine die*.

Carried.

The Chair appointed Messrs Sheldon, Smith, and Patterson as such committee.

Mr. Rand moved a committee be appointed to wait on the Governor, to ascertain whether or not he had any further message to communicate to the House.

Carried.

The Chair appointed Messrs. Rand, McNutt, and Duhme as such committee.

Mr. Mills, of Conference Committee on H. B. No. 120, reported that the committee had been unable to agree. and that the committee recommend that the House do not recede from its amendments thereto.

On motion, the report was adopted.

The following message was received from the Council:

COUNCIL CHAMBER,
DENVER, February 11, 1876.

To the Honorable Speaker of the House:

SIR: I am instructed to inform your Honorable Body that the Council still refuses to concur in the first House amendment to section 1 of C. B. No. 120, and respectfully asks the House to recede therefrom.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretar

Mr. Sheldon moved that the House insist upon its a. ments to C. B. No. 120.

The ayes and noes were called for.

Those voting aye were Messrs. Bingham, Gurule, Kruse, Larned, Mills, Meldrum, McShane, Marshall, Pisko, Patterson. Peyton, Rettberg, Sheldon, Sanchez, and Yonley—15.

Noes — Messrs. Apadaca, Everitt, Jaramilla, Nimerick, Smith, Trippe, and Mr. Speaker—7.

Motion carried.

Mr. Bingham reported as follows:

MR. SPEAKER:—The Joint Committee on Enrollment beg leave to report that they have examined C. B's No's 39, 128,

103, and 129, and find them correctly enrolled, and presented them to the Governor for his approval, at 11:15 p. m., February 11, 1876.

FRANK BINGHAM,
Chairman.

Report received.

Mr. Rand, of committee appointed to wait upon the Governor, reported that the Governor would send a message to the House in a short time.

Report received.

Mr. Sheldon, of committee appointed to wait upon the Council and inform them that the House was ready to adjourn, reported that the committee had performed their duty.

Report received.

A message faom the Governor, stating that he had signed and approved H. B. No. 65, was received.

The following message was received from the Council:

COUNCIL CHARBER,
DENVER, February 11, 1876.

To the Honoralle Speaker of the House:

SIR: I am instructed to inform your Honorable Body that the Council still refuses to concur in the first House amendment to section 1 of C. B. No. 120, but has already concurred in the other House amendments to said bill, so that there is now but one amendment at issue, and from this amendment the House is requested to recede.

Very respectfully,
Your obedient servant,
JAMES T. SMITH,
Secretary.

Mr. Yonley moved that the House refuse to recede from its amendment to C. B. No. 120.

Mr. Jaramilla moved to amend, and that the House recede from its amendments to C. B. No. 120.

Lost.

The question being on Mr. Yonley's motion to insist on House amendments to C. B. No. 120, was carried.

On motion of Mr. Trippe, further action on C. B. No. 120 was indefinitely postponed.

Mr. Smith moved a reconsideration of the vote by which C. B. No. 120 was indefinitely postponed.

Lost.

Mr. Kruse reported as follows:

MR. SPEAKER:—We, your Committee on Enrollment, beg leave to report back H. B. No. 115, correctly enrolled.

Respectfully submitted,
FREDERICK KRUSE,
Chairman.

Report received.

A message was received from the Governor, stating that he had signed and approved H. B's No's 110 and 115.

Mr. Bingham reported as follows:

MR. SPEAKER:—The Joint Committee on Enrollment, beg leave to report that they have examined House Bill No. 115, Council substitute for H. B. No. 116, and C. B. No. 141, and find them correctly enrolled, and presented them to the Governor for his approval, at 11:30 o'clock p. m., February 11, 1876.

FRANK BINGHAM,
Chairman House Joint Committee.

Received.

Mr. Peyton moved the committee await upon His Excellency the Governor, and ascertain if he has any further communication to make to this House.

Carried.

The committee reported that they had performed the duties assigned them, and that the Governor had further communication to make to the House.

An invitation was extended by Colonel Archer, for the House to visit the Gas Works to-morrow, at 11:30 a. m.

Invitation accepted, and the thanks of the House tendered Colonel Archer.

The following message was received from the Governor:

Honorable Alfred Butters, Speaker of the House of Representatives:

SIR: I have the honor to inform you that I have no further communication to make to your Honorable Body.

Congratulating you upon the pleasant and successful termination of your arduous labors, and thanking you for all courtesies to myself, I have the honor to be,

Very respectfully,
Your obedient servant,
JOHN L. ROUTT.

Mr. Mills moved a committee of two be appointed, to ascertain if the Council had any further business requiring the action of the House.

Carried.

The Chair appointed Messrs. Mills and Marshall as such committee.

A committee on the part of the Council appeared, and informed the House that the Council had completed its labors, and was now ready to adjourn.

On motion of Mr. Rand, the House adjourned *sine die*.